A

GENERAL HISTORY

OF THE

LIVES, TRIALS, and EXECUTIONS

OF ALL THE

Royal and Noble Perſonages,

That have ſuffered in Great-Britain and Ireland for

HIGH TREASON, or other CRIMES,

FROM THE

Acceſſion of HENRY VIII. to the Throne of England, down to the preſent Time;

With a CIRCUMSTANTIAL NARRATIVE of

Their BEHAVIOUR during CONFINEMENT,

AND

AT THE PLACE OF EXECUTION:

To which is added,

A PARTICULAR ACCOUNT of the REBELLIONS in England, Scotland and Ireland, for the two laſt Centuries.

Compiled, with the utmoſt Care and Accuracy, from the

Beſt Hiſtories, and Moſt Authentic Memoirs,

By DELAHAY GORDON, Eſq.

And ILLUSTRATED with COPPER-PLATES.

VOLUME THE SECOND.

LONDON:

Printed for J. BURD, oppoſite St. Dunſtan's Church, Fleet-Street,

MDCCLX.

BL

A

General History, &c.

THE

History of the Life and Death

OF

THOMAS WYAT.

HISTORY takes scarce any notice of sir Thomas Wyat, except in the detail of the circumstances of the rebellion for which he suffered, which we shall here lay before the reader from authentic accounts, and in the most exact and circumstantial manner possible.

Sir Thomas Wyat was one of the chief instruments in the conspiracy formed against queen Mary in 1554, of which her marriage with Philip, son to the emperor Charles VI. was the cause, or, more probably, the pretext. He was seconded by

the duke of Suffolk, and ſir Peter Carew of Cornwall, in the deſign which he formed of raiſing a general inſurrection. It was agreed among the conſpirators, that Carew ſhould act in Cornwall, Wyat in Kent, and the duke of Suffolk in Warwickſhire, which is in the centre of the kingdom.

It ſeldom happens that all who are concerned in a conſpiracy acquit themſelves in ſuch a manner as to inſure its ſucceſs. The indiſcreet conduct of Carew upon this occaſion was ſuch as to cauſe his plot to be diſcovered, and one of his accomplices arreſted before he had taken proper meaſures to ſucceed. This obliged him to go to France, and Wyat upon his flight haſtened the execution of his deſign, though the conſpirators at firſt intended to wait the arrival of Philip, in order to colour their deſign of riſing with a plauſible pretext, and render it popular; which was not hard to be done, as the inquiſition and arbitrary power were dreaded by many.

Wyat being obliged to alter his meaſures, reſolved to puſh forward his deſign, though he was yet unprepared; therefore, repairing to Maidſtone with a handful of men, he gave out that he took up arms in order to prevent the invaſion which then threatened England. He then marched to Rocheſter, from whence he writ to the ſheriff to aſk aſſiſtance: but the ſheriff was ſo little diſpoſed to eſpouſe his cauſe, that he commanded him to lay down his arms, and gathered forces in order to oppoſe him.

The court was greatly alarmed at this rebellion, being unprovided with means to diſſipate it, as the queen had diſmiſſed her forces when ſhe apprehended herſelf to be in a ſtate of ſecurity. She therefore thought it adviſeable to ſend a herald to Wyat with an offer of full pardon to himſelf and followers,

followers, provided they would lay down their arms in twenty-four hours. But this offer he rejected.

The court being thus taken at unawares, was obliged to put the duke of Norfolk at the head of ſix hundred of the city trained bands, under the command of an officer named Bret. While theſe preparations were making, the ſheriff of Kent, as he was going to join the duke of Norfolk, met with and defeated Knevel, who was on his way to join Wyat, and killed ſixty of his men.

This ill ſucceſs ſo alarmed Wyat, that he had already formed a reſolution to conſult for his own ſafety, when an unexpected accident inſpired him with freſh courage. Sir George Harper, one of his adherents, pretending to quit his party, went to the duke of Norfolk, and ſo wrought upon the trained bands, that they all came over to the cauſe of the rebels, and, by unanimous conſent, left the duke to join Wyat.

With this reinforcement and the other forces, which made in all a body of four thouſand men, Wyat put himſelf upon a march for London. He met near Deptford two envoys from the queen, who, in her name, demanded of him what it was he deſired. He required that the Tower and the queen's perſon ſhould be put into his hands, and a change made in the council according to his directions.

This unreaſonable demand being rejected, the queen repaired to the place in the city where the magiſtrates held their aſſemblies, and acquainted them with the anſwer ſhe had received from Wyat. She then ſpoke of her marriage, and told them ſhe had not taken a ſingle ſtep in that affair without the knowledge and advice of her council. In concluſion, to give them a proof of the confidence

ſhe repoſed in them, ſhe reſolved to continue in the city, though many adviſed her to withdraw to the Tower.

In the mean time, Wyat continued his march and reached the borough of Southwark on the third of February, expecting to enter the city without any difficulty. But the bridge being well ſecured by works and guards, he was obliged to march by the river ſide up to Kingſton, which is ten miles above London. Here he found the bridge broken, and ſpent ſome hours in repairing it. He then paſſed to the other ſide with his army, which conſiſted of near ſix thouſand men. He then held on his march to London, and, after ſome time thrown away in repairing one of his broken carriages, he reached Hyde-Park about nine in the morning on the fifth of February.

By thus waſting his time in repairing the carriages, he loſt the whole fruits of his enterprize; for in that interval Harper, who had been ſo ſerviceable to him in gaining over the trained bands, deſerted; and going directly to the court, informed it of his intentions to croſs Weſtminſter, and enter the city by Ludgate. This advice came ſeaſonably to the earl of Pembroke and lord Clinton, who, at the head of ſome troops, reſolved to engage him as he entered the city: but, perceiving that he entangled himſelf in the narrow ſtreets, where he could not extend his front, they thought it better to let him paſs, after orders given to ſhut the gate through which he deſigned to enter.

Wyat being ſtill miſled by a perſuaſion that the citizens wiſhed well to his undertaking, left his cannon under a guard at Hyde-Park, and entering Weſtminſter purſued his march through the Strand in his way to Ludgate. Care was taken to block

up

up the way behind him, and render his retreat impracticable by fortifications thrown acroſs the ſtreets, and guards placed at all the avenues.

He believed himſelf now upon the point of reaping the fruits of his undertaking, when, to his great mortification, he found the gate into the city ſhut againſt him. He then firſt diſcovered his error, and, perceiving that it was impoſſible to retire, his reſolution quite forſook him. As he was endeavouring to return, a herald at arms came to him, and exhorting him not to throw ſo many lives away as he muſt unavoidably by attempting to reſiſt, he ſurrendered quietly. and was ſent to priſon.

This unfortunate man, whoſe abilities muſt certainly have been weak, fooliſhly imagined, without having any ground for his aſſurance, that the city of London would declare in his favour, and ſo ran upon his own deſtruction. If he had previouſly taken proper meaſures, the queen and her miniſters would have been greatly embarraſſed upon the occaſion, as the government, notwithſtanding its weakneſs, had already made itſelf a conſiderable number of enemies. But the failing of this enterprize ſo confirmed the authority of the queen, that, from this time, ſhe met with no more reſiſtance.

After Wyat ſurrendered, his men diſperſed, and were taken at pleaſure, ſo that the city priſons were ſoon filled with them.

While Wyat was buſy in Kent and London, the duke of Suffolk had made but ſmall progreſs in the county of Warwick. He might have even eſcaped ſuſpicion, had not an expreſs ſent to him by Wyat been ſeized in his journey. He was to have informed him of the reaſons which had obliged Wyat

to

to haſten his undertaking, and to requeſt him to make all poſſible expedition.

Upon this advice the earl of Huntingdon had orders to arreſt him. The duke was informed of it, and being not yet ſecure of fifty horſe, choſe to conceal himſelf in the houſe of one of his domeſtics, who baſely betrayed and delivered him up to the earl of Huntingdon, by whom he was conveyed to the Tower on the twelfth of February.

Thus ended a rebellion which, if managed by abler heads, might have been attended with great conſequences: but few men of reputation cared to put themſelves under the conduct of ſuch leaders. The deaths of the chief perſons concerned in it would have been called the deſerved rewards of their raſhneſs. But it produced two conſiderable effects; one fatal to an illuſtrious and innocent perſon, and the other to the proteſtant cauſe itſelf. Not that religion had any ſhare in this conſpiracy, Wyat himſelf being a Roman-catholic, and the queen in her proclamation on this ſubject laying no part of it to the charge of the proteſtants, though ſome hiſtorians have, ſince that time, thought proper to brand them. But, as the queen owed her own power to the ill ſucceſs of this enterprize, ſo ſhe turned it entirely to the ruin of the reformed and the reformation.

As the duke of Suffolk was concerned in this undertaking, the court eaſily underſtood that his deſign was to place the lady Jane, his daughter, on the throne; and it was this conſideration that determined the queen to ſacrifice her to her own ſafety.

Soon after the execution of lady Jane Grey, and her huſband Guilford Dudley, the duke of Suffolk, her father, was executed on account of this

this rebellion; and his greateſt grief was, that he had, by engaging in it, occaſioned the death of his beloved daughter Jane Grey.

Wyat's turn came next. When he was brought before his judges, he offered to make great diſcoveries if his life might be ſaved. He accuſed even the princeſs Elizabeth and the earl of Devonſhire, as accomplices in his conſpiracy. This did not prevent his ſentence, but only gained him a reſpite of two months before his execution, in hopes of drawing ſome important diſcovery from him.

However, ſir Thomas Wyat, as he had accuſed Elizabeth, and the earl of Devonſhire, merely in hopes of his own pardon, finding that he muſt die, acquitted them fully at his ſecond examination; and, for fear of having his ſecond declaration ſuppreſſed, he renewed it at the place of execution.

As no other proof was alledged againſt them, and their accuſer himſelf had acquitted them in the agonies of death, no proceſs could be formed againſt them, though Gardiner, by whom the queen was then guided in every thing, paſſionately wiſhed the death of the princeſs.

The behaviour of ſir Thomas Wyat can by no means be extolled as noble or generous, ſince he perſiſted in his accuſation of innocent perſons till he knew it could avail him nothing. However, his relenting at laſt, ſufficiently proves, that there are no characters ſo bad as not to have a mixture of good in them; or, as Mr. Pope elegantly expreſſes it,

Virtuous and vicious every man muſt be;
Few in extreme, but all in the Degree.

THE LIFE AND DEATH OF NICHOLAS RIDLEY.

THIS pious and learned martyr was born, of an ancient and worthy family, at Willymondſwyke in Northumberland. He received the firſt rudiments of learning at Newcaſtle upon Tyne; and academical at Cambridge, till he was batchelor of arts. He afterwards went to Oxford, where he was elected fellow of the univerſity-college in 1521: but he ſoon returned to Cambridge, where he became doctor of divinity, and maſter of Pembroke-hall.

He was made chaplain to king Edward VI. conſecrated biſhop of Rocheſter in 1547, and tranſlated to London on the deprivation of Bonner in 1549: but he died in the flames at Oxford in 1555.

Ridley, of all the reforming divines of that time, made the neareſt approach to the church of England in her preſent purity of doctrines and diſcipline. His notions of eccleſiaſtical polity were high, but in general juſt; and, in the œconomy of the church, he allowed an equitable regard to the authority of the ſtate. He ſaw, and avoided, but could bear witht he errors of all parties among the reformed; while the dignity, the affability, and the modeſty of his behaviour, procured him a general eſteem with all ranks of men.

The

The church of Rome had laid ſuch a ſtreſs on the indiſpenſible neceſſitv of the ſacraments, that the people were taught to believe, that, by the very action itſelf, without the inward grace and diſpoſition of the mind, they were ſufficient to juſtification, unleſs the receiver himſelf prevented their effects; and this ſeems to have given riſe to the homilies about juſtification. If the reformers who oppoſed this notion, and who thought that men were juſtified by the internal acts of the mind, had ſtopped here, the controverſy would have been managed much more advantageouſly, which was in a great meaſure loſt by deſcending to unſcriptural and minuter ſubtleties. Public diſputations were held in both univerſities, between the reformers and the papiſts, concerning the real preſence of Chriſt in the ſacrament. Ridley was ſent to Cambridge, with ſome other delegates, where a diſputation was held, for three days together, to prove, that tranſubſtantiation was not contained in the plain and manifeſt words of ſcripture, nor could neceſſarily be collected from it, nor confirmed by the conſent of the ancient fathers; and, that there is no other ſacrifice and oblation in the Lord's ſupper, than of a remembrance of Chriſt's death, and of thankſgiving.

The debate was ſummed up with a great deal of temper and learning by biſhop Ridley, in a ſtrong determination againſt the corporal preſence. The truth is, he was then maſter of the ſubject more then any man of the age; for, having met with a book of Bertram's in the ninth century, in which he who was much eſteemed, had confuted this notion of the preſence of Chriſt's real fleſh and blood in the ſacrament, the biſhop concluded that it was not the primitive doctrine of the church,

but had been introduced, with other errors and ſuperſtitions, in the later centuries.

He communicated this diſcovery to his friend archbiſhop Cranmer, and they ſet themſelves to examine it with more than common care; making great collections out of the fathers, and other ancient writers, to prove the novelty and the abſurdity of the opinion. They ſhewed, that all the high expreſſions which were to be found in Chryſoſtom, and other ancient writers on this ſubject, were only metaphors and flights of eloquence, to raiſe the devotion of the people in this holy ceremony; though the following ages had built their opinion on theſe expreſſions, and were diſpoſed to believe every thing the more readily as it appeared more incredible and extravagant.

But this opinion of the real preſence having been ſo generally received in England above three hundred years, theſe eminent reformers proceeded gradually in diſcuſſing it, that the people might be better diſpoſed to receive what they intended afterwards to eſtabliſh.

Ridley aſſiſted Cranmer in the firſt edition of the Liturgy, or Common-prayer, which was publiſhed in 1548. He was ranked with Cranmer, Hooper, and Ferrars, among thoſe called the zealous proteſtants, in oppoſition to Gardiner, Tunſtal, and Bonner, who were called zealous catholics.

Ridley printed the injunctions which he had ſet forth for the viſitation of his dioceſe; and they clearly ſhew the progreſs that the reformation had made in England. They particularly injoined, that none ſhould receive the communion, but ſuch as ſhould be ready with meekneſs to confeſs the articles of the Creed when required by the curate. That the Homilies ſhould be read orderly, without

out omiſſion of any part thereof; and, that the Common-prayer be read, in every church, upon Wedneſdays and Fridays. That none ſhould maintain purgatory, invocation of ſaints, the ſix articles, bead-rolls, pilgrimages, relics, rubrics, primers, juſtification of man by his own works, holy bread, pſalms, aſhes, candles, creeping to the croſs, hallowing of fire, or altars, or ſuch like abuſes.

The king's end was viſibly approaching, and biſhop Ridley preached before him towards the latter end of his ſickneſs. The biſhop inſiſted much in his ſermon on the good effects of charity; and the king was ſo affected with what he ſaid, that immediately after the ſermon he ſent for the biſhop, whom he commanded to ſit down and be covered. His majeſty reſumed the heads of the diſcourſe, and ſaid his lordſhip muſt give ſome directions how he might acquit himſelf of his duty. The biſhop, aſtoniſhed at ſo much tenderneſs and ſenſibility in ſo young a prince, burſt into tears; but deſired time to conſider of the particular channel in which the royal charity ſhould be directed; and, that the king would give him leave to conſult with the lord-mayor and aldermen about it. His majeſty accordingly wrote them a letter by the biſhop, who returned to him with a ſcheme of three foundations; one for the ſick and wounded, another for ſuch as were wilfully idle or mad, and a third for orphans; and his majeſty endowed St. Bartholomew's hoſpital for the firſt, Bridewell for the ſecond, and the grey-friars church for the third.

The king died in 1553, and was ſucceeded by his ſiſter Mary, whoſe reign was polluted with the blood of martyrs, of whom Ridley was one of the chief. He was at the beginning of her reign ſent to the Tower.

The queen releaſed Gardiner and Bonner out of the Tower, and employed them to pull down the reformation. The maſs was reſtored, the proteſtants inhumanly perſecuted, and ſeveral laws enacted for re-eſtabliſhing popery. The parliament revived the ſtatutes againſt hereſy; and the queen commiſſioned Gardiner, as her bloody inſtrument, for the extirpation of what ſhe called hereſy. He was particularly ordered to clear the churches of all married biſhops and prieſts; in conſequence of which, four biſhops were deprived for marriage, as alſo three for preaching erroneous doctrines; and, of ſixteen thouſand of the inferior clergy then in England, twelve thouſand were turned out for having wives.

As Gardiner was forcing the proteſtants into the pale of the Romiſh church, he began with exerting his rage againſt the biſhops, and the moſt eminent divines. The biſhops Ridley, Latimer, Hooper, and Ferrars, were all impriſoned, and all ſuffered martyrdom: which cauſed an univerſal conſternation, and the popiſh biſhops themſelves ſeemed aſhamed of theſe barbarities.

The convocation was adjourned, and removed to Oxford, that the diſpute with the proteſtant divines might be held before the whole univerſity. To give a colour of juſtice to this conference, archbiſhop Cranmer, Ridley, and Latimer, were removed from the Tower of London to the priſon at Oxford, where they were ill accommodated, denied the convenience of their books and papers, the converſation of each other, and any mutual aſſiſtance in the conference; for each was to have his day ſeparate from the others.

To theſe three prelates, under ſuch diſadvantages, a committee from the convocation and the two univerſities were to be oppoſed.

The queen ſent her precept to the mayor and bailiffs of Oxford, to bring the priſoners into the public ſchools at the times appointed for the diſputations; calling Ridley a doctor, and Latimer only clerk. It was intended to expoſe theſe three great prelates to inſolence and abuſe.

It is the remark of Fuller, that, "This diſputation was intended as a preparative, or prologue, "to the tragedy of theſe biſhops deaths; as it "were to dry their bodies the more afore-hand, "that afterwards they might burn the brighter and "clearer for the ſame."

The government and clergy are charged with the moſt execrable cruelties. The queen was married to Philip of Spain, and imagined herſelf pregnant; but ſhe declared ſhe could not be delivered till the heretics, who now filled all the jails about London, were burnt; while the clergy and council of England were to be the executioners of the bloody purpoſe.

Commiſſions for trying Ridley, Latimer, and Cranmer, were directed to three biſhops and ſeveral others: but the impriſoned prelates, at their different appearances, refuſed to acknowledge the papal authority. Cranmer was brought out firſt before the committee. The next was Ridley, who began with a ſolemn declaration, that, though he was once of another opinion than what he was at preſent, yet he had not changed it upon any worldly conſiderations, but merely for a love of truth; and, ſince it was the cauſe of God he was now to maintain, he proteſted that he would have leave to add to, or alter, any argument, as he ſhould ſee cauſe for it; and deſired he might be permitted to ſpeak without interruption. All this was promiſed him, but not complied with; and, though the committee aſſailed him by turns, even

ſometimes four or five at once, he maintained his ground, till the prolocutor put an end by ſaying, "You ſee the obſtinate, vain-glorious, crafty, and "inconſtant mind of this man; but you alſo ſee "the force of truth cannot be ſhaken; therefore, "cry out with me, Truth has the victory."

The three biſhops were adjudged to be obſtinate heretics, and declared to be no longer members of the church: to which they all objected. Ridley told the commiſſioners, "That, although he was not of their company, yet he doubted not but that his name was written in another place, whither this ſentence would ſend him ſooner than by the courſe of nature he ſhould have gone."

The priſoners were then parted, and conducted to their reſpective priſons: where Ridley wrote a letter to the prolucutor, complaining of the noiſy and irregular manner with which the diſpute was carried on; wherein he had not the liberty of making a full defence, nor of urging his arguments at length, being overpowered with clamour, and the indecent abuſe of four or five opponents at a time: he deſired, however, that he might have a copy of what the notaries had ſet down; which was not granted.

Ridley and Latimer refuſed to recant, or to renounce their reaſon upon the unintelligible jargon of a popiſh euchariſt, the common watch-word for murder in thoſe days; and they were to be delivered over to the ſecular arm. The biſhops of Glouceſter, Lincoln, and Briſtol, were ſent to Oxford to proceed againſt them.

When the commiſſion was read, and it appeared that the judges proceeded in the name of the pope, Ridley put on his cap, and refuſed to pay any reverence to thoſe who acted by ſuch a commiſſion. Latimer alſo proteſted againſt the papal authority; and,

and, being both accuſed of the opinions which they had maintained in the public ſchools a year and a half before, were allowed till the next morning to conſider, whether they would retract or perſevere in them. Both adhered to the anſwers they had already made, and the next morning they were pronounced guilty of hereſy, degraded from prieſts orders, and conſigned over to the ſecular magiſtrate to be puniſhed.

Great attempts were made on Ridley, to perſuade him to accept of the queen's mercy; which he refuſed, and a warrant was ſent down for the execution of him and Latimer.

They ſuffered on the ſixteenth of October, 1555, on the north ſide of Oxford, in the ditch oppoſite Baliol-college.

When they came up to the ſtake, they embraced each other with great affection; and Ridley, with an air of pleaſure, ſaid to Latimer, "Be of good "heart, brother; for God will either aſſuage the "fury of the flame, or elſe enable us to abide it."

They were not permitted to ſpeak, in anſwer to a long ſermon preached by Smith, unleſs they would recant. To this Ridley replied, that he would never deny his Lord, nor the truths of which he was perſuaded, but "God's will be "done." He ſaid he had received fines when he was biſhop of London for leaſes which were now voided, and deſired that the queen might give order, either that the leaſes might be made good, or the fines reſtored to the tenants out of the effects he had left behind him, which were more than ſufficient for that purpoſe.

After this, they were ordered to fit themſelves for the ſtake; ſome gunpowder was hanged about their bodies to haſten their deaths; and the fire was put to the wood. The powder took fire with the

firſt

firſt flame; which inſtantly put Latimer out of his pain: but there was ſo much wood thrown on the fire where Ridley was, that the flame could not break through it; ſo that his legs were almoſt conſumed before it was obſerved; and then, a paſſage being made to the flame, it put an end to his life, in the fifty-fifth year of his age.

The ſtation which both theſe martyrs had held, the regularity of their lives, the mildneſs of their tempers, their age, and their behaviour at the ſtake, raiſed great commiſeration in the ſpectators, and ſent them home greatly diſpleaſed with thoſe who had brought them to this end.

Ridley's fine genius, and his great improvements in all branches of literature neceſſary to a divine, gave him the firſt rank in his profeſſion; and his life was anſwerable to his knowledge. He was of an eaſy obliging temper; and, though he wanted not a proper ſpirit to ſupport his character, or to do himſelf juſtice againſt the great and powerful, yet he was always ready to forgive any injuries or offences. His zeal for religion did not ſhew itſelf in promoting ſeverities againſt thoſe who differed from it; but in diligently explaining the articles that were miſunderſtood, and ſhewing their foundation in ſcripture and antiquity. The greatneſs of his mind was not only ſhewn in the candor and charity of his ſentiments; he did good offices for thoſe who differed from him; he was a great benefactor to the poor; he expended his revenue in a way becoming a biſhop; he maintained and treated Heath, the deprived biſhop of Worceſter, for a year and half, in the ſame ſplendor as though Fulham-houſe had been his own; and Bonner's mother, who merited nothing on her own account, dined always there at the table with him, whilſt her ſon was in the Tower.

The

The reformation was greatly indebted to his zeal and learning while he lived, as well as to his courage and conſtancy at his death; for, of all who ſerved the altar of the church of England, he bore, perhaps, the moſt uſeful teſtimony, both in life and death, to her doctrine.

He received his learning at Cambridge, Paris, and Louvain. He was a perſon ſmall in ſtature, but great in learning, and profoundly read in divinity. Among ſeveral things that he wrote, were theſe: "A Treatiſe concerning Images, not to be "ſet up, nor worſhipped in churches. A Brief "Declaration of the Lord's Supper. A Treatiſe on "the Bleſſed Sacrament. A piteous Lamentation "of the miſerable State of the Church of England, "at the Time of the late Revolt from the Goſpel. "A Compariſon between the comfortable Doctrine "of the Goſpel, and the Traditions of Popiſh Reli-"gion." He was concerned in compiling the Common Prayer-Book; as alſo diſputations and conferences about matters of religion.

THE

THE LIFE AND DEATH OF HUGH LATIMER.

THIS extraordinary perſon was bred up at Chriſt's-college at Cambridge; and, at his firſt ſetting out in the world, had a ſtrong opinion of a monaſtic life. He had always been in earneſt with his religion: but having been diſengaged from the prejudices of education, by ſome of thoſe who were burnt for hereſy in the reign of Henry, he made further advances in the doctrines which were not then eſtabliſhed.

Latimer was croſs-keeper in the univerſity of Cambridge, and carried it, on proceſſion-days, till he was converted by Thomas Bilney, fellow of Trinity-hall, who was martyred in the year 1531. Latimer himſelf ſays, "Maſter Bilney, or rather "St. Bilney, that ſuffered death for God's word "ſake, the ſame Bilney was the inſtrument whereby "God called me to knowledge: for I may thank "him, next to God, for that knowledge that I "have in the word of God; for I was as obſtinate "a papiſt as any was in England; inſomuch that, "when I ſhould be made batchelor of divinity, my "whole oration went againſt Philip Melanchthon, "and againſt his opinions. Bilney heard me at that "time, and perceived that I was zealous without "knowledge, and came to me afterwards in my "ſtudy, and deſired me, for God's ſake, to hear

"his

" his confeſſion. I did ſo; and I learned more " than afore in many years: ſo, from that time for- " ward, I began to ſmell the word of God, and for- " ſake the ſchool-doctors, and ſuch fooleries."

Bilney ſo wrought on Latimer, that, of almoſt a perſecutor, he became a zealous promoter of the truth; and, in 1527, he preached his ſermon, " Of Cards." on the queſtion of the prieſts to the Baptiſt, " Who art thou?" Theſe words were part of the goſpel appointed for the day, and was adapted rather to the time than the text; for it was the ſunday bafore Chriſtmas; and he conformed his diſcourſe to the playing at cards, making the heart triumph, and exhorting all to ſerve God in ſincerity and truth, not in the pompous parade of ceremonies, traditions, pardons, pilgrimages, vows, devotions, and other ſuperſtitions. The whole was a ſevere reproof of the friars, who felt the wound, which was afterwards embittered, when they ſaw Latimer promoted to the biſhopric of Warceſter, in 1553, by the intereſt of queen Anne Bullen, who had made him her chaplain.

Latimer preached the Latin ſermon before the convocation in 1536; and his text was, " The " children of this world are, in their generation, " wiſer than the children of light." He was the moſt celebrated preacher of that time; the ſimplicity of his matter, and his zeal in expreſſing it, being preferred to more elaborate compoſers. The lower-houſe complained of ſome biſhops, who were wanting in their duty to ſuppreſs abuſes; which was underſtood as a reflection on Cranmer, Shaxton, and Latimer.

In 1538, biſhop Latimer preached a ſermon near the gallows, when John Foreſt was executed for denying the king's ſupremacy. When the great monaſteries were reſigned to his majeſty, Latimer

timer preſſed Cromwell earneſtly, that two or three houſes in each county, might be reſerved, for preaching, ſtudy, and prayer: but, when the act of the ſix bloody articles was put in execution, Latimer had the ſpecial favour to ſave himſelf by loſing his biſhopric, which he reſigned in 1540, inſtead of complying with an act that, by extenſive interpretations, was made commenſurate to the whole body of popery. He was preſented for ſome words ſpoke againſt the ſix articles, and was then impriſoned in the Tower with biſhop Shaxton, where he lay till the king's death ſet him at liberty in 1547; and, in 1550, he preached at court before Edward VI.

When Henry VIII. tyrannically attempted to force his own religion upon his ſubjects, Latimer found that he could not have the freedom of his conſcience, and the poſſeſſion of his ſee; therefore he reſigned the latter voluntarily, without being required ſo to do. He might have been reſtored in the time of Edward, but he choſe to live in a private ſtation with archbiſhop Cranmer at Lambeth, and to lay out all his time in preaching in different places.

Latimer may be looked upon as the Cicero of the pulpit. His zeal and ſincerity inſpired him with figures of ſpeech, to which learning and ſtudy cannot riſe. An honeſt enthuſiaſm gave his tongue eloquence; a primitive freedom gave his eloquence conviction. His ſermons were plain, but pointed; no vice was placed ſo high that he would not attack. He was ſarcaſtic, but the times required it; he had vehemence, but it was well conducted. His diſcourſes were directed rather to the reformation of manners, than to the controverſies of religion. He practiſed all he preached. In his reproofs he knew no reſerve; in his reproaches

proaches he indulged no ſpleen; for he never uſed the former, but where vice was corrigible; nor the latter, but where it was pernicious. He was a friend to the crown and the people, averſe to the tyranny of the nobles, and indifferent about the claims of the clergy. "In ſhort, he could have "lived quiet and content under any conſtitution, "either of church or ſtate, where the adminiſtration "was veſted in a man of virtue."

He arraigned the vices of the great in a ſermon at court before king Edward, with a freedom which became his character. He had nothing to fear from that religious prince; and, as he had nothing to loſe, the power of the courtiers had no terrors. He took great care of his dioceſe, while he exerciſed the epiſcopal office; giving a noble example of hoſpitality, benevolence, and a contempt of riches; for which much greater churchmen, both in his own days and ſince, have not been ſo eminent. "In ſhort, Latimer, with "a moderate ſhare of learning and abilities, was a "much greater man, a much better Chriſtian, and "a much worthier biſhop, than many of his order, "who have ſhone with a greater luſtre."

One of the laſt ſermons king Edward heard, was preached before him by Latimer, when their party began to increaſe who oppoſed the Liturgy. He particularly mentioned Thomas lord Seymour, of whom he ſaid, "He was, I heard ſay, a covet-"ous man, a covetous man indeed: I would there "were no more in England. He was, I heard ſay, "an ambitious man; I would there were none in "England. He was, I heard ſay, a ſeditious man, "a contemner of common prayer: I would there "were no more in England. Well! he is gone, "I would he had left none behind him."

At

At this time he was ſo far advanced in years, as to be diſtinguiſhed by the name of "Old Lati-"mer;" and he openly preached, with great ſeverity, againſt the outrageous ſpoil of the goods of the church without law or order. Cranmer and Ridley alſo delivered their conſciences very freely on that head: but they were not able to ſtem the torrent of licentiouſneſs and corruption, which had deluged the land in ſuch a manner, as if irreligion had been the conſequence of forſaking confeſſion, penance, and the ceremonies which had been practiſed.

The biſhops and clergy, generally ſpeaking, did not a little contribute to this degeneracy; ſeveral among the former, and the greateſt part of the latter, being ſtill papiſts in their hearts, and complying only externally with the reformation to preſerve their benefices, not only neglected the paſtoral care, but ſet the people againſt it in its preſent model, and were rather well pleaſed that there was ſo much, and ſuch great diſorder.

When Mary was crowned, the proteſtant preachers were impriſoned. Archbiſhop Cranmer was ſent to the Tower, where Latimer was alſo committed at the ſame time; and ſcarcely any biſhop or preacher, who had ſignalized himſelf for the reformation, and did not either recant, or fly beyond ſea, eſcaped either deprivation or inpriſonment, or both.

England was now adorned with flowers and fillets woven by the hands of prieſts; and brought, like a heedleſs victim, to their altar, on which ſhe was to pour out her warmeſt blood, that of her liberty and religion. But the blood of the martyrs proved to be the ſeed of the church; and their ſufferings made more converts than their ſermons had done.

Cranmer,

Cranmer, Ridley, and Latimer, were ſent to Oxford, to ſeal the faith with their blood, in the preſence of the whole univerſity.

Latimer had ſhewn a generous contempt for preferment, Ridley for money, and both of them for life. When Latimer was deprived of his biſhopric on account of the ſix articles, he was ſucceeded by Nicholas Heath, who was legally deprived by Edward VI. but Latimer would not accept of his ſee again, knowing Heath to be of a meek and moderate nature; and it was conferred upon Hooper, who held it in commendam with his ſee of Glouceſter; becauſe Latimer and Heath were both ſurviving, and were each accounted a lawful biſhop by thoſe of their own religion. Hugh Latimer continued Hugh Latimer, without any addition of title or preferment; but he was in civility ſaluted as other biſhops, and honoured by all good people, who conſidered him "as confeſſor-general to all "proteſtants troubled in mind; and he was the "treaſury, into which reſtored ill-gotten goods "were caſt, to be beſtowed upon the poor, ac-"cording to his diſcretion."

Latimer was warm and ſincere in whatever he profeſſed. Gardiner and Bonner knew him too well to expect any advantage to their cauſe by his ſufferings. The meſſenger, therefore, who was ſent to ſummon him firſt before the commiſſioners, had no orders to apprehend him and left him at his own liberty. But the old man did not think his life of ſuch value, as to put himſelf to the trouble of ſtepping out of the way of death Accordingly he ſurrendered himſelf, and put the prelates under a neceſſity of giving him a crown of martyrdom. For "the good old man, conſcious "of his innocence, and diſengaged entirely from "the world, ſurrendered himſelf up, and freely

" laid down his life, when the cauſe of God re-
" quired it."

I have mentioned, in the life of Ridley, how that prelate and Latimer were brought to their trials before three biſhops at Oxford, who pronounced them guilty of hereſy, and condemned them to be burnt. Notwithſtanding cardinal Pole, as the pope's legate, ſtiled both Ridley and Latimer biſhops in the commiſſion, and directed their degradation, in caſe of obſtinacy, from that character; yet the delegates would allow neither of them to be more than a prieſt.

The condemned prelates refuſed to recant; and a warrant came down for the lord Williams, and the burghers, to attend their execution. As they were leading out to the ſtake, they looked up to Cranmer's priſon, in hopes to have ſeen him, and bid him adieu; but the archbiſhop, being engaged in a diſpute with ſome friars, forgot to appear at the window when they were paſſing by: recollecting himſelf, however, ſoon after, he went to the top of his priſon, and looking at them with great tenderneſs, kneeled down, and prayed fervently, that God would ſtrengthen their faith and patience in that laſt but dreadful ſuffering.

Latimer's grey hairs added a veneration to his perſon, and Ridley's character excited pity for his fate. They went to the ſtake like brothers in the ſame cauſe; they were lovely in their lives, and in their death they were not divided. When they had prayed, and were undreſſing themſelves at the ſtake, Latimer comforted his fellow ſufferer, ſaying, " That they two ſhould that day light ſuch a candle in England, as he truſted, by God's grace, would never be put out." Latimer's withered body ſoon yielded up his ſoul in the flames; but Ridley's more vigorous conſtitution, joined to

the

the unſkilfulneſs of his executioners, rendered his martyrdom painful and lingering.

Thus died theſe two excellent biſhops, on the ſixteenth of October, 1555: the one, for his piety, learning, and ſolid judgment, the ableſt man, next to Cranmer, of all who had advanced the reformation: and the other, for his zeal, his diligence in the paſtoral office, and the plainneſs and integrity of his life, eſteemed a true primitive Chriſtian, who had more of the ſimplicity of the firſt ages, than of the politeneſs or learning of later times.

THE

LIFE AND DEATH

OF

JOHN HOOPER.

THIS great divine, who was born in 1495, was a native of Somerſetſhire, and received his academical education at Merton-college in Oxford, where he was ſent in 1514, and placed under the tuition of his uncle John Hooper, who was made maſter-fellow of that houſe in 1513, and was alſo principal of St. Alban's-hall. In 1518, John Hooper, the nephew, was admitted batchelor of arts, which was the higheſt degree he took in this univerſity; and, about the ſame time, completed it by determination. What became of him after is not exactly known; but it is reported, that he was of the number of Ciſtercians, commonly called white monks, and continued ſo for years, till he grew weary of a monaſtic life, and returned to Oxford, where he was converted to Lutheraniſm by books brought from Germany, and ſoon became a zealous proteſtant.

In 1539, when the ſtatute of the ſix articles was put in execution, he left Oxford, and got into the ſervice of ſir Thomas Arundel, a Devonſhire gentleman, to whom he became chaplain and ſteward of his eſtate. This gentleman was a very catholic knight, and was afterwards put to death with the protector in the reign of Edward VI. He ſoon diſcovered that Hooper was a proteſtant, who thereby

thereby loſt his protection, and was obliged to fly into France, where he continued ſome time among the reformed, till his diſlike of ſome of their proceedings made him return to England.

On his arrival in his native country, he lived with a gentleman named Seintlow, where he became known, and was ſought after to be apprehended. Upon this he diſguiſed himſelf like a ſailor, and went to Ireland, from whence he went to Holland, and ſo on to Switzerland. Bullinger was then at Zurick, where he ſucceeded Zuinglius in the chair. He had been obliged to forſake his country on account of religion, and therefore gave a very friendly reception to Hooper, who was remarkable for his knowledge in the Greek and Hebrew languages.

Edward VI. came to the crown in 1547, and Hooper came to England again, when he ſettled in London, where he frequently preached to the people on ſeveral reformed doctrinal heads, and particularly againſt pluralities. He had a great mildneſs of temper, and was much regarded by all the party of the reformed, who inclined to a parity of church-government. His abode in foreign parts, where reformation bordered too much upon leveling principles, had brought him into a train of thinking no way favourable to church diſcipline. He made the avoiding ſuperſtition a matter of conſcience; but he run into the very extreme he ſhunned, by his zeal to avoid it; for he ſuperſtitiouſly declined uſages which he owned to be indifferent in themſelves, only becauſe they became important through the injunctions of ſuperiors: however, it will appear that he was flexible in thoſe points, and that he could comply when he found the government was not to be trifled with. He

agreed perfectly well with Cranmer and Ridley in the main doctrines of the reformation, and in zeal to promote it; yet they appear to have been very apprehenſive of his principles.

Hooper was a worthy conſcientious man. In his life he was blameleſs; but ſomewhat too neglectful of thoſe appearances, which are requiſite for giving reverence to power, either civil or eccleſiaſtic, in the eyes of the people, who ſee no farther than exteriors. He was a perſon of good parts, and well verſed in the learned tongues: he was a good philoſopher, but a better divine, had not his principles been too rigid in diſſenting from the church of England, as appointed by Edward VI.

He was now appointed chaplain to the duke of Somerſet, and, perhaps, was more ſeverely treated on that account, when his great patron loſt the protectorſhip. In 1549, he became an accuſer of Bonner, when he was to be deprived of his biſhopric, which made him fare the worſe when queen Mary came to the crown.

After Hooper had practiſed himſelf in his popular and common kind of preaching, he was called to preach before the king, who, in 1550, made him biſhop of Glouceſter, and about two years after he had the biſhopric of Worceſter given to him to keep in commendam with the former. The earl of Warwick recommended Hooper to this preferment, as a man who had all thoſe virtues and qualities required by St. Paul in a good biſhop, in his epiſtle to Timothy. But Hooper, having reſided in Switzerland, and imbibed ſome odd notions there, was the means of introducing thoſe diſputes about things indifferent, which have produced ſince that time ſuch fatal conſequences in the church.

It

It was cuſtomary to wear ſuch garments and apparel as the popiſh biſhops uſed; firſt a chymere, and under that a white rochet; then a mathematical cap with four angles, dividing the whole world into four parts. The moſt ſenſible men are not without their weakneſſes and whims. Hooper was a man of learning, and of parts; but he had taken it into his head, that, as theſe ſacerdotal veſtments were mere human inventions, brought into the church by cuſtom or tradition, and invented chiefly for celebrating the maſs, and conſecrated for that uſe, ſo they were therefore among the ceremonies condemned by St. Paul as beggarly elements.

In anſwer to this, it was told him, by archbiſhop Cranmer, and biſhop Ridley, that, though tradition, in matters of faith, was juſtly to be rejected; yet, in rites and ceremonies which were indifferent, cuſtom alone was a good argument for the continuance of that which had been long uſed. The archbiſhop therefore required Hooper to conform himſelf to the law; but he obſtinately refuſed a rochet, and Cranmer refuſed to conſecrate him without it.

The earl of Warwick, who was then in the higheſt credit at court, wrote a letter to the archbiſhop, deſiring him not to inſiſt upon theſe ceremonies from the biſhop elect of Glouceſter; nor to charge him with an oath burthenſome to his conſcience.

It is ſaid by ſome writers that this was the oath of ſupremacy; but others, with more reaſon, conceive it the oath of canonical obedience to the archbiſhop, which therefore conſequentially commanded ſuch ceremonies as Hooper was willing to decline; for it is improbable that the king would diſpenſe with any perſon from taking the

agreed perfectly well with Cranmer and Ridley in the main doctrines of the reformation, and in zeal to promote it; yet they appear to have been very apprehenſive of his principles.

Hooper was a worthy conſcientious man. In his life he was blameleſs; but ſomewhat too neglectful of thoſe appearances, which are requiſite for giving reverence to power, either civil or eccleſiaſtic, in the eyes of the people, who ſee no farther than exteriors. He was a perſon of good parts, and well verſed in the learned tongues: he was a good philoſopher, but a better divine, had not his principles been too rigid in diſſenting from the church of England, as appointed by Edward VI.

He was now appointed chaplain to the duke of Somerſet, and, perhaps, was more ſeverely treated on that account, when his great patron loſt the protectorſhip. In 1549, he became an accuſer of Bonner, when he was to be deprived of his biſhopric, which made him fare the worſe when queen Mary came to the crown.

After Hooper had practiſed himſelf in his popular and common kind of preaching, he was called to preach before the king, who, in 1550, made him biſhop of Glouceſter, and about two years after he had the biſhopric of Worceſter given to him to keep in commendam with the former. The earl of Warwick recommended Hooper to this preferment, as a man who had all thoſe virtues and qualities required by St. Paul in a good biſhop, in his epiſtle to Timothy. But Hooper, having reſided in Switzerland, and imbibed ſome odd notions there, was the means of introducing thoſe diſputes about things indifferent, which have produced ſince that time ſuch fatal conſequences in the church.

It

It was cuſtomary to wear ſuch garments and apparel as the popiſh biſhops uſed; firſt a chymere, and under that a white rochet; then a mathematical cap with four angles, dividing the whole world into four parts. The moſt ſenſible men are not without their weakneſſes and whims. Hooper was a man of learning, and of parts; but he had taken it into his head, that, as theſe ſacerdotal veſtments were mere human inventions, brought into the church by cuſtom or tradition, and invented chiefly for celebrating the maſs, and conſecrated for that uſe, ſo they were therefore among the ceremonies condemned by St. Paul as beggarly elements.

In anſwer to this, it was told him, by archbiſhop Cranmer, and biſhop Ridley, that, though tradition, in matters of faith, was juſtly to be rejected; yet, in rites and ceremonies which were indifferent, cuſtom alone was a good argument for the continuance of that which had been long uſed. The archbiſhop therefore required Hooper to conform himſelf to the law; but he obſtinately refuſed a rochet, and Cranmer refuſed to conſecrate him without it.

The earl of Warwick, who was then in the higheſt credit at court, wrote a letter to the archbiſhop, deſiring him not to inſiſt upon theſe ceremonies from the biſhop elect of Glouceſter; nor to charge him with an oath burthenſome to his conſcience.

It is ſaid by ſome writers that this was the oath of ſupremacy; but others, with more reaſon, conceive it the oath of canonical obedience to the archbiſhop, which therefore conſequentially commanded ſuch ceremonies as Hooper was willing to decline; for it is improbable that the king would diſpenſe with any perſon from taking the

oath of ſupremacy, wherein his own dignity was ſo nearly concerned.

Warwick alſo prevailed on the king to write a letter to Cranmer in favour of Hooper, wherein his majeſty told his grace, "That he had choſen Hooper to be biſhop of Glouceſter, as well for his great learning, deep judgment, and long ſtudy, both in the ſcriptures, and other profound learning; as alſo for his good diſcretion, ready utterance, and honeſt life for that kind of vocation. "From the conſecrating of whom," ſays the king, "we underſtand you do ſtay, becauſe he would "have you omit, and let paſs, certain rites and "ceremonies offenſive to his conſcience, whereby "ye think, you ſhould fall in præmunire of laws: "we have thought good to diſpenſe, and diſcharge "you of all manner of dangers, penalties, and "forfeitures, you ſhould run into, and be in any "manner of way, by omitting any of the ſame."

This letter was dated the fifth of Auguſt, 1550, and was ſigned by Somerſet, and five other lords of the council: but Cranmer inſiſted that Hooper ſhould conform himſelf in all points, and denied him the liberty of the pulpit, while the council confined him to his houſe. Cranmer conſulted Bucer and Martyr upon this occaſion, who were alſo conſulted by Hooper.

Hooper continued ſtrong in his prepoſſeſſion, and many arguments were urged on both ſides, which later ages have more amply enlarged and explained. Hooper then publiſhed a confeſſion of his faith, in which he complained of the privy-council. Upon this he was committed to the cuſtody of the archbiſhop, who uſed all his endeavours to bring Hooper off from his ſingularities, but without effect. His grace then informed

the

the council, that his priſoner was not content with his nonconformity, but had offered to preſcribe rules on this head to the public; whereupon the council ordered his grace to ſend him to the Fleet, and he continued there till the next year.

This extraordinary ſeverity of the council towards ſo eminent a divine, is a proof, that each party took its opportunity of perſecuting its enemies, as occaſion preſented, or was taken from their non-compliance with the new ſyſtem of parliamentary religion.

At laſt the earl of Warwick deſerted his chaplain; and the affair of Hooper, which had ſlept from Auguſt to March, whilſt he remained in the Fleet, was reſumed. He was brought before the council, to explain himſelf upon the difficulties which he had ſtarted. The objection he made to the oath was, the "ſwearing by God, the ſaints, and the holy goſpels," when none but God himſelf ought to be appealed to in an oath. Upon this the king ſtruck out theſe words with his own hand, and allowed that no creature ought to be ſworn by. As to the point about the veſtments, it was compromiſed on theſe conditions: he was to wear the epiſcopal habit which was preſcribed when he was conſecrated, and when he preached before the king, or in his cathedral, and in any public place; and, on other occaſions, he was diſpenſed with.

On theſe terms he was conſecrated in the uſual form; by which he loſt much of the popularity he had gained with his declamation againſt the eſtabliſhed rites. Both parties had violently contended about this matter, which was the means of introducing a contention into England that has been pernicious to the intereſts of religion and the church.

Thus

Thus Hooper was conſecrated biſhop of Glouceſter, on the eighth of March, 1551, and then preached before the king in his epiſcopal habit. When he entered into his dioceſs, "he left no pains "untaken, nor ways unſought, how to train up "the flock of Chriſt in the true word of ſalvation, "continually labouring in the ſame." He preached "often, kept good hoſpitality for the poorer ſort "of people, and was beloved by all."

The ſee of Glouceſter was looked upon as a poor pittance for ſo great a divine, and, on the twentieth of May, 1552, he was declared biſhop of Worceſter, in the room of Heath, who was then a priſoner in the Fleet, for refuſing to aſſent to the book of ordinations. Hooper was permitted to hold Worceſter in commendam with Glouceſter; for which he was cenſured by the Papiſts. "But "let ſuch know, that the dioceſes of Glouceſter "and Worceſter lie contiguous; that many ſingle "biſhoprics in England are larger than both, for "extent in land and number of pariſhes; that "Dunſtan had the biſhopric of Worceſter and "London with it, at the ſame time, being far "more remote; that it is not the having two "biſhoprics together, but the neglecting of one, "is the ſin; whereas Hooper, in preaching and "viſiting, afforded double diligence in his double "dioceſs."

The compliance of Hooper with the eſtabliſhed religion was, at this time, of great ſervice to the public; but this plurality conferred upon one prelate, is a proof how far the government began to deviate from the ſtrict maxim it had laid down, of not ſuffering a biſhop to keep even a parſonage in commendam. Hooper made a very good uſe of his power. He viſited both ſees, and did vaſt ſervices both to the church and ſtate of England.

He

He made to the king a gift of deed of his biſhopric of Glouceſter, and of all the lands and annuities he enjoyed by the ſame. Soon after that biſhopric was diſſolved, or rather united with the ſee of Worceſter, ſo that the juriſdiction of Glouceſter ceaſed. In the act of his tranſlation to Worceſter, he was made biſhop of the ſame, during his natural life, "provided he behaved ſo long well." But it is probable, the new biſhop enjoyed only a ſmall part of the revenues, conſidering the daily growing practice of courtiers begging for eccleſiaſtical revenues.

When king Edward died, in 1553, religion was ſubverted, and this good biſhop was one of the firſt that was ſent for by queen Mary to be at London, to anſwer Heath, the deprived biſhop, and Bonner, biſhop of London, for being one of his accuſers. Hooper was ſeaſonably adviſed to make his eſcape, but he was determined to bear the ſtorm, and ſaid, "Once I fled, and took me "to my feet; now I will continue to live and die "with my ſheep."

He was brought up to London by a purſuivant in Auguſt, and was very opprobiouſly received by the biſhop of Wincheſter, who committed him priſoner to the Fleet on the firſt of September following. He remained there ſeveral months, during which time he was often examined, and required to recant his opinions; but he ſtood conſtant and reſolute to the articles of his faith.

Cranmer, Ridley, Latimer, and Ferrars, were alſo impriſoned. The archbiſhop of York, and the biſhops of Briſtol, Cheſter, and St. David's, were deprived of their biſhoprics for having been married: The ſees of Lincoln, Hereford, and Glouceſter, were declared void, becauſe thoſe biſhops

ſhops had miſbehaved themſelves. Thus were ſeven biſhops turned out all at once, by an authority which the bigotted queen herſelf thought ſinful and ſchiſmatical; and their ſees were filled with men in whom ſhe confided.

The council proceeded with vigour in matters of hereſy, and removed Cranmer, Ridley, and Latimer, to diſpute with ſome members of the convocation at Oxford, where they all ſuffered martyrdom.

There was a deſign of the ſame nature to be executed at Cambridge, over ſome other biſhops and eminent clergy, who were in the ſeveral priſons of Newgate, the Fleet, and the King's-bench: but the priſoners ſet forth a declaration, ſigned by Hooper, Ferrars, Coverdale biſhop of Exeter, and ſeven divines, that they would not diſpute, unleſs in writing, except it were before the queen and her council, or one of the houſes of parliament. To this declaration they added a ſummary of their belief; for which, they ſaid, they were ready to offer up their lives to the halter or the fire, as it ſhould pleaſe God to appoint. This prevented any farther public conferences in religion; and it was determined, to ſilence the proteſtants more effectually in another manner.

It would be diſagreeable to particularize the numerous deprivations, hardſhips, expulſions, and impriſonments, which the proteſtant party, both clergy and laity, women as well as men, underwent. The government had the parliament on its ſide, and drove on as furiouſly as could be wiſhed. Nothing was to be heard but declamations, from their moſt florid preachers, in favour of their religion. Nothing was to be ſeen in the ſtreets, but pageants expoſed by papiſts, and pil-

lories

lories occupied by proteſtants; yet no pomp could amuſe, no ſeverity could damp the ſpirit of the people.

Gardiner chearfully undertook to put the laws in force againſt heretics; but, as the people could not be intimidated by his threats, or wrought upon by his promiſes, the council ſent for the moſt popular preachers that were in cuſtody, to begin the ſeverities upon them according to Gardiner's plan.

It was reſolved that Hooper, as the moſt obnoxious to the government, if not the moſt popular in his own party, ſhould be the leading ſacrifice to popery. They called him before them on the twenty-firſt of January, 1555, and offered him a pardon by the name of John Hooper, clerk, not acknowledging him to have been a biſhop, if he would confeſs his hereſies and return to the church, which he abſolutely refuſed.

Three articles were then exhibited againſt him, for marrying, for allowing a divorce and ſecond marriage in the caſe of fornication, and for denying the corporal preſence of Chriſt in the ſacrament. Hooper owned himſelf guilty of the accuſation, but offered to defend himſelf againſt all who ſhould maintain the contrary. He behaved with all humility to the biſhops, who treated him with the utmoſt inſolence, and remanded him back to priſon.

The two bloody biſhops of London and Wincheſter had a perſonal animoſity againſt Hooper, who behaved with all the conſtancy of a primitive martyr. He had kept up a correſpondence with Bullinger, and others of the reformed abroad, to whom he ſent his wife Anne, and her children; and he was at very little pains to conceal his ſentiments, none having been more active, or more ſucceſsful, than he was in the cauſe of reformation.

Bullinger

Bullinger wrote him a long letter from Zurick, dated the tenth of October, 1554, wherein he deſires Hooper to commend him to the moſt reverend fathers and holy confeſſors of Chriſt, Cranmer, Ridley, and Latimer. He exhorts them all to be ſtrong in the Lord, fight a good fight, and be faithful unto the end; as Chriſt was their captain, and all the prophets, and apoſtles, and martyrs, their fellow ſoldiers.

The commiſſioners had declared that Hooper ought to be deprived of his biſhopric, and he was brought before them again, on the twenty-ſecond of January, at the biſhop of Wincheſter's houſe at St. Mary Overy's. He was then aſked to acknowledge the pope to be head of the church; which he denied, as the pope taught a doctrine directly contrary to the doctrine of Chriſt: therefore he would not condeſcend to any ſuch uſurped juriſdiction; neither eſteemed he the church, of which they call him head, to be the catholic church of Chriſt: "for the church only heareth the voice of her ſpouſe Chriſt, and flieth the ſtrangers."

He was commanded back to the fleet, and brought before the commiſſioners again on the twenty-eighth of January, together with Mr. John Rogers, vicar of St. Paul's. They were both examined, and ſent away to be brought into court the next morning, to ſee if they would relent. They were conducted to the Compter in Southwark by the ſheriffs of London; and Hooper ſaid to Rogers, as they walked through the ſtreet ſurrounded by the populace: "Come, brother "Rogers, muſt we two take this matter firſt in "hand, and begin to fry theſe faggots?" Rogers anſwered, "Yes, ſir, by God's grace." "Doubt "not," replied Hooper, "but God will give "grace."

The

The next morning they were brought again before the commiſſioners, who ſate in judgment in St. Mary-Overy's church. Hooper would by no means condeſcend to the commiſſioners, who condemned him to be degraded, and ordered him to be carried to the Clink, a priſon near the biſhop of Wincheſter's houſe; from whence he was removed to Newgate the ſame night. The people prayed for him as he was guarded through the ſtreets; and he was kept cloſe priſoner in Newgate ſix days.

During this time, he was frequently viſited by Bonner and his chaplains, who vainly endeavoured to make him a convert to their church. They offered him wealth and preferment, which he deſpiſed; and then they ſpread a report that he had recanted. This report ſoon came to his ears, at which he was greatly grieved; and, on the ſecond of February, wrote a letter to diſprove that falſe and malicious ſtory; and, to aſſure the world, that he was more than ever confirmed in the proteſtant faith, ſaying, "I have taught the truth "with my tongue, and with my pen heretofore, "and hereafter ſhortly ſhall confirm the ſame by "God's grace with my blood."

The biſhop of London came to Newgate, and degraded Hooper, after reading the ſentence of his degradation, wherein Hooper is called a preſbyter, under the juriſdiction of the biſhop of Wincheſter, by whoſe definitive ſentence he was pronounced, "An open, obſtinate, and incorrigible "heretic;" and, as ſuch, was to be degraded from his order, and for theſe demerits, to be delivered to the ſecular power. In degrading this bleſſed biſhop, they proceeded not againſt him as a biſhop, but only as againſt a prieſt, as they termed him;

him; for ſuch as he was, theſe Balaamites accounted no biſhop.

Rogers was degraded at the ſame time, and died a martyr in Smithfield: but Hooper was impolitically ſent by the government to die at Glouceſter, that the hearers of his doctrine might be the witneſſes of his ſufferings. By the order that was ſent to burn him at Glouceſter, the ſheriff was directed to call in ſome of reputation in the county to aſſiſt at his execution; and becauſe he was, ſays the order, "a vain-glorious perſon, as "all heretics are," he was neither ſuffered to "ſpeak at large in going to his execution, nor at the place, for avoiding further infection.

He was much pleaſed at being carried to Glouceſter, that he might confirm with his death the truth which he had taught there in his life; not doubting, but the Lord would give him ſtrength to perform the ſame to his glory.

On the firth of February, before day-light, he was brought by the ſheriffs from Newgate, to a place appointed near St. Dunſtan's church in Fleet-ſtreet, where he was received by a body of the queen's guards, who were to carry him to Glouceſter. He eat a hearty breakfaſt, and leaped chearfully on horſeback without help. On the ſeventh he arrived at Glouceſter, where he found all the citizens aſſembled to ſee him, who cried and lamented his condition.

The next morning ſome of his friends were permitted to ſee him, among whom was ſir Anthony Kingſton, who found the good biſhop at his prayers, and burſt forth into tears, as he ſpoke in this manner: "I underſtand you are come "here to die; but, alas, conſider that life is "ſweet, and death is bitter; therefore, ſeeing "life may be had, deſire to live, for life here-

"after

after may do good.' The biſhop anſwered, "In-
"deed I am come here to end this life, and to
"ſuffer death, becauſe I will not gainſay the for-
"mer truth that I have taught in this dioceſe and
"elſewhere. I do not ſo much regard this death,
"nor eſteem this life; but have ſettled myſelf,
"through the ſtrength of God's holy ſpirit, pati-
"ently to paſs through the torments and extremi-
"ties of the fire now prepared for me, rather than
"deny the truth of his word."

The ſame night he was committed by the guard to the cuſtody of the ſheriffs of Glouceſter, who, with the mayor and aldermen, attended him with great reſpect. He thanked them for their civility, and requeſted the ſheriffs, "That there might be quick fire, ſhortly to make an end." He told them, "He was not come there as one compelled to die; for it was well known, he might have had his life with worldly gain; but, as one willing to offer and give his life for the truth, rather than conſent to the wicked papiſtical religion of the biſhop of Rome, received and ſet forth by the magiſtrates in England, to the high diſpleaſure and diſhonour of God; and he truſted, by God's grace, the next day to die a faithful ſervant of God, and a true obedient ſubject to the queen." He was not carried to the common jail of the city called North-gate, but lodged in the houſe of Mr. Robert Ingram, where he ſpent the night in devotion.

About eight the next morning, the commiſſioners appointed to ſee the execution came to the houſe; and at nine the biſhop was brought down from his chamber by the ſheriffs, and led to the ſtake between them like a lamb going to the ſlaughter. It was market-day, and about ſeven thouſand people were aſſembled on the occaſion, which made

him ſay, "Alas, why are theſe people here? "Perhaps they think to hear ſomething of me "now, as they have in times paſt; but, alas! "ſpeech is prohibited me; notwithſtanding the "cauſe of my death is well known unto them. "When I was appointed here to be their paſtor, "I preached unto them true and ſincere doctrine "out of the word of God; becauſe I will not now "account the ſame to be hereſy and untruth, this "death is prepared for me."

He was dreſt in a gown of his hoſt's; a hat on his head, and a ſtaff in his hand to ſupport him, as the ſciatica, which he had contracted in priſon, made him halt. The people mourned for him all the way, and he looked very chearfully upon ſuch as he knew. He frequently lifted up his eyes towards heaven as he paſſed along; and he was never known, ſince his being their biſhop, to look with ſo lively and chearful a countenance as he did at that time.

When he came to the ſtake, which was oppoſite the college of prieſts, where he was uſed to preach, he beheld the preparation for his death with a compoſed and ſmiling countenance. The place was ſurrounded with ſpectators, and the prieſts of the college were in the chamber over the college-gate. As the biſhop was not permitted to ſpeak to the people, he kneeled down ro prayer, and beckoned to Mr. Bridges, whom he knew, to hear it, which he did with great attention, and reported that the prayer was made upon the whole Creed, wherein the biſhop continued about half an hour, and declared his faith in the form of prayer. When he was in the middle of his prayer, a box was brought and laid before him on a ſtool, with his pardon from the queen, if he would recant. When he ſaw it, he cried, "If you love my ſoul, away with it;

"if

"if you love my ſoul, away with it." He was then permitted to proceed in his prayer, which he concluded in theſe words: "Lord ſtrengthen me "with thy goodneſs, that in the fire I break not "the rules of patience; or elſe aſſuage the terror "of the pains, as ſhall ſeem moſt to thy glory."

When prayer was done, he prepared himſelf for the ſtake, and was undreſt to his ſhirt, which he thruſted between his legs, where he had a pound of gunpowder in a bladder, and under each arm the like quantity delivered him by the guard. A flood of tears burſt from the eyes of all the ſpectators as he was faſtened to the ſtake, from whence he directed the executioner where to place the fire, which was ſoon kindled; but the wood burning ill, and the wind blowing away the flame that it did not riſe up and ſuffocate him, nor deſtroy his vitals, he was for a long time in the utmoſt torment. He frequently called to the people, for the love of God, to bring him more fire; which, though it was renewed, was prevented by the wind from putting him out of his miſery, till he had been near three quarters of an hour in burning.

The account given by Fox of his long excrutiating torments is terrible to hear, who ſays, he patiently bore the extremity of the fire, "neither "moving forwards, backwards, or to any ſide; "but having his nether parts burnt, and his "bowels fallen out he died as quietly as a child in "his bed; and he now reigneth, as a bleſſed mar-"tyr, in the joys of heaven, prepared for the faith-"ful in Chriſt before the foundation of the world: "for whoſe conſtancy all Chriſtians are bound to "praiſe God."

This learned and pious prelate was thus cruelly martyred, (like St. Polycarp, biſhop of Smyrna, to whom he has been juſtly compared,) on the

ninth of February, 1555, and in the ſixtieth year of his age.

He wrote twenty-four books and treatiſes when in priſon: beſides, he wrote the Sacraments, the Lord's Prayer, and the Ten Commandments. His writings are moſtly theſe: Anſwer to Gardiner's book, intitled, "A Detection of the Devil's So-"phiſtry: A Declaration of Chriſt and his Office: "Leſſon of the Incarnation of Chriſt: Sermons "on Jonas: A godly Confeſſion and Proteſtation "of the Chriſtian Faith: Homily to be read in "the Time of the Peſtilence." All theſe were wrote from 1549 to 1553: and he afterwards wrote, Epiſtola ad Epiſcopos, &c. An Exhortation to Patience, ſent to his wife: Sentences wrote in priſon: Comfortable Expoſitions on the twenty-third, ſixty-ſecond, ſeventy-third, and ſeventy-ſeventh Pſalms: Annotations on the thirteenth chapter to the Romans: Twelve Lectures upon the Creed: Declaration of the Ten Holy Commandments of Almighty God: and he alſo tranſlated Tertullian's ſecond book to his wife, concerning the choice of a huſband or wife.

The manner of his death being ſo very ſevere, very uncharitable reflexions were made upon it; as though he who had kindled the fire of diſſention about the veſtments, had ſuffered thus uncommonly for that reaſon.

Ridley and Hooper were not fully reconciled till the reign of Mary, when Hooper had the honour to offer the firſt agreement, which Ridley embraced with a brotherly love, and ſeveral letters paſſed between them on that occaſion. They acknowledged their mutual faults in carrying things of ſuch little conſequence to ſo great a length, and aſſured each other of their ſincere love and affection. Happy would it have been for England, and

and much to the intereſt of religion, if the fires which conſumed theſe pious men had put an end to ſuch inſignificant and idle conteſts! And, if thoſe who have ſince embarked in them with a furious zeal, would reflect more on the ſenſe which theſe good biſhops had of them, when they were on the verge of another world, than on the heats into which they put them, when perhaps eaſe and plenty made their paſſions violent, it is probable they might be perſuaded to a little more humility and moderation.

THE LIFE AND DEATH OF THOMAS CRANMER.

THIS moſt reverend prelate, and moſt exemplary martyr, was born on the ſecond of July, 1489, at Aſlacton, a village about five miles from Nottingham. His anceſtors came in with William the Conqueror; and Cranmer-hall, in Leiceſterſhire, was their ancient inheritance.

His father was Thomas Cranmer, who was poſſeſſed of a genteel fortune, and put his ſon to learn grammar of a pariſh-clerk, under whom he ſuffered much and learned little. At the age of fourteen he was ſent to Cambridge, where he loſt his time, till he was twenty-two, in the ſubtleties of the ſchools; but, after that time, he cloſely applied himſelf to the ſtudy of the beſt Latin authors till 1517, when Luther began to write againſt indulgencies, and expoſe the errors of popery.

He took his degree of maſter of arts, and was choſen fellow of Jeſus-college; but the controverſies in Germany induced Cranmer to ſtudy the holy ſcriptures, and all good writers, both new and old.

Henry VIII. wrote a book againſt Luther in 1522; at which time, Zuinglius was eſtabliſhing his doctrine in Switzerland. This made Cranmer examine what Luther had wrote, and he approved his

his doctrine, though he durſt not profeſs it at that time.

"The abolition of taſte and literature, were not "the ſlighteſt abuſes proceeding from popery; "the revival of letters was one of the principal ſer- "vices effected by the reformation. The Romiſh "clergy feared that, if men read, they would "think. It is no leſs true that, the moment they "thought, they wrote. The firſt author, as well "as the firſt martyr, among the Engliſh nobility, "was ſir John Oldcaſtle, called the good lord Cob- "ham: a man whoſe virtues made him a refor- "mer; whoſe valour, a martyr." It would have been a noble preſent to the world, if this honour- able author had inſerted the character of Cranmer in his learned catalogue, which would have illu- ſtrated the above obſervation.

In 1525, Cranmer married a gentleman's daugh- ter; by which means he loſt his fellowſhip, and became divinity-reader in Buckingham-college, where he ſhewed himſelf a profeſſed enemy to the lazy, ignorant friars, who, in return, gave out that he was only an oſtler. His wife was kinſ- woman to the hoſteſs at the Dolphin-inn, with whom ſhe boarded; and he went frequently to viſit her their; which occaſioned that ſlanderous report. But his wife died in child-bed; and he was re- elected into Jeſus college in 1526.

In 1528, he was made doctor in divinity, and grew into ſuch great eſteem for his learning, that the univerſity appointed him one of the examiners of their ſufficiency, who commenced therein; and he would never admit any to proceed in divinity, unleſs they were well acquainted with the holy ſcrip- tures. The plague happened that year at Cam- bridge, which occaſioned the ſtudents to quit the colleges, and Cranmer removed to Waltham, with

his principal pupils, to the houſe of Mr. Creſſy, whoſe wife was related to him.

The cauſe of divorce between Henry VIII. and Catharine of Spain, had been in queſtion two or three years between the canoniſts, civilians, and other learned men. The king was impatient at the ſlow proceedings of the cardinals Wolſey and Campeggio, the latter of whom he ordered back to Rome, and removed himſelf from London to Waltham for a night or two, while his houſhold removed to Greenwich; by which means it happened that the harbingers lodged doctor Gardiner and doctor Fox in the ſame houſe where doctor Cranmer reſided. Gardiner was ſecretary, and Fox was almoner to the king, whoſe divorce was principally conducted by them.

The three doctors met at ſupper, when the ſubject of the divorce was ſtarted, that the others might know the opinion of Cranmer upon it. He propoſed a new method; which was, that the king ſhould engage the chief univerſities and divines of Europe, to examine the lawfulneſs of his marriage; and, if they gave their reſolutions againſt it, then, it being certain that the pope's diſpenſation could not derogate from the law of God, the marriage muſt be declared null.

This was new and ſeemed reaſonable; ſo they propoſed it to the king, who was much taken with it. He ſaw this way was both better in itſelf and would mortify the pope extremely. He inſiſted that Cranmer ſhould be immediately ſent for, and brought into his preſence, when he fully ſatisfied the king of his learning and abilities.

The king commanded him to digeſt his thoughts in writing upon that argument, and committed him to the care of the earl of Wiltſhire and Ormond, named ſir Thomas Bullen, who then dwelt

at

at Durham-houſe, and was judged a fit perſon for Cranmer to reſide with, as he had been employed in embaſſies to Rome and Germany about the ſame matter, and able to inſtruct Cranmer in particular paſſages relating thereto.

The king made Cranmer his chaplain, gave him a good benefice, and nominated him to be archdeacon of Taunton. Cranmer finiſhed his book in 1530, when he was commiſſioned, with Gardiner, Fox, and others, to diſpute the cauſe in queſtion in both the univerſities, and to procure their concluſions, which were given in favour of the divorce; and the foreign univerſities, as well as the principal reformers, concurred in the opinion, that "the marriage of a brother's wife was "contrary both to the laws of God and nature:"

Cranmer, and thoſe who favoured the divorce, grounded their judgment upon arguments taken partly from ſcripture and partly from the fathers, councils, and ſchoolmen. The chief ſtreſs was laid on the laws in Leviticus, of the forbidden degrees of marriage; among which was this one, "not "to marry the brother's wife:" and the caſe ſeemed clear from tradition, which was the only ſure expounder of the ſcripture. They examined the validity of the pope's diſpenſation; and aſſerted, that, no authority being able to make what was a ſin in itſelf become lawful, every man that found himſelf engaged in a ſinful courſe of life, ought to forſake it; and, therefore, the king ought to withdraw from the queen; and the biſhops of England, in caſe of refuſal, ought to proceed to cenſures.

A ſolemn embaſſy was then prepared and ſent to the biſhop of Rome, at the head of which was the earl of Wiltſhire, accompanied by the doctors Cranmer, Lee, Stokeſly, Carne, Bennet, and other learned

learned men. They expoſtulated roundly with the pope in the name of Henry; inſiſting on the prerogative of the crown of England, and that their maſter would not permit any citation to be made of him to a foreign court, and therefore would not conſent that his cauſe ſhould be tried at Rome.

The earl of Wiltſhire delivered Cranmer's book to the pope; telling him, that there were learned men come along with him from England, who were ready to defend what was contained in that book, againſt all who ſhould contradict it. The pope often promiſed the ambaſſador to appoint a day for the diſputation; but it was a promiſe which he never performed. He knew, or ſuppoſed, that Cranmer was the author of that book concerning the king's marriage with Catharine; and he made him his penitentiary in England, Ireland and Wales.

The ambaſſador and all the others returned to England, except Cranmer, who continued at Rome to make good his challenge, and ſo far prevailed, that at laſt they openly granted, even in the pope's chief court of the rota, that the marriage was againſt the law of God: but the pope's diſpenſing power was too advantageous a tenet to be parted with on any account.

In 1531, the king ſent Cranmer a commiſſion, with inſtructions to quit Rome, and repair to Vienna, as his ſole ambaſſador to the emperor in this important cauſe. The emperor appointed Cornelius Agrippa to diſpute with Cranmer, who eaſily brought his opponent over to his own ſide of the queſtion; ſo that he met with no oppoſition there, and took leave of the emperor.

Agrippa was judge of the prerogative court, and councellor to the emperor. He had a very great genius, with an extenſive knowledge of languages

guages and things; but he drew upon himſelf the hatred of the Romiſh clergy by the freedom of his writings, which rendered him unhappy. He was perſecuted by the monks, and came to England, where he wrote on the epiſtles of St. Paul. He was thrown into priſon in 1535, where he died, for declaring his opinion too plainly upon the divorce of Henry VIII.

Cranmer went from Vienna to Nuremberg, where he contracted an intimate friendſhip with Oſiander, and married his niece. Oſiander was an eminent divine, and Cranmer perſuaded him to proceed in harmonizing the goſpels, which he did, and dedicated his work to Cranmer in 1537. Cranmer ſecured commerce between the merchants of England and the emperor's Low-Countries. The king alſo made uſe of him in another embaſſy, which was ſecretly made to the elector Frederic, duke of Saxony. And he collected the opinions and judgment of the moſt learned men in Germany, as well in the univerſities as in the courts of princes, all agreeing with his own.

King Henry laid the deciſions of the univerſities, the opinions that Cranmer procured abroad, and the books that were written for the divorce, before his parliament. There were twelve ſeals of univerſities ſhewed, and a hundred books produced, written on the ſame argument. Upon ſhewing theſe, the chancellor deſired them to report in their countries, that they clearly ſaw the king had not attempted this matter of his mere will and pleaſure, but for the diſcharge of his conſcience, and the ſecurity of the ſucceſſion of the crown. This was alſo brought into the convocation, who declared themſelves ſatisfied that the marriage was contrary to law; but the circumſtances they were then in, made their declaration not

not much conſidered, for they were then under the laſh. All the clergy of England were ſued, as in the caſe of a præmunire, for having acknowledged a foreign juriſdiction, and taken out bulls, and had ſuits in the legatine court. But they were received into favour by granting a conſiderable ſubſidy, and acknowledging the king the protector and ſupreme head of the church of England.

Henry had no farther intercourſe with Catharine, who removed from court in July, 1531; and the king privately married Anne Bullen, on the Nov. 14 1533. She was the earl of Wiltſhire's daughter, and eſteemed a zealous proteſtant, ſtrongly attached to the intereſt of Cranmer, who was in Germany that year, where he received information of the death of Warham, archbiſhop of Canterbury. Warham was a prelate of great worth and dignity; he had vaſt experience in buſineſs, and had a conſiderable ſhare in the ſteps that had been taken towards the reduction of the papal power. Burnet calls him a great patron of learning, a good canoniſt, and a wiſe ſtateſman; but ſays, he was a cruel perſecutor of heretics, and inclined to believe fanatic ſtories.

The king reſolved to advance Cranmer to the vacant archiepiſcopal ſee of Canterbury, and ſent him word of it, that he might make haſte over to England. But Cranmer had difficulties to encounter before he could embrace this great offer; and even at laſt embraced it rather in obedience to the king, than to gratify any paſſion of his own power and grandeur.

A promotion ſo far above his thoughts, had not its common effects on Cranmer. He had a true and primitive ſenſe of ſo great a charge; and, inſtead of aſpiring to it, he was afraid of it, and

he

he both returned very ſlowly to England, and uſed all his endeavours to be excuſed from that advancement. But this declining of preferment, being a thing of which the clergy of that age were ſo little guilty, diſcovered that he had maxims very far different from moſt churchmen. He returned to England without his wife, whom he privately ſent for in 1534. But the papiſts ſaid, he was incapable of a biſhopric, as debarred by bigamy, having been twice married: In ſaying this, they perverted the ſcriptural ſenſe, for the apoſtle only forbid the having of many wives at once, which was cuſtomary among the Jews.

Cranmer told the king, he could not accept the archbiſhopric at the hands of the pope; becauſe the full right of donation of all manner of benefices appertained to his majeſty, and not to any foreign authority. The king conſulted Oliver, an eminent civilian, how he might beſtow the ſee upon Cranmer, without hurting his conſcience; and Oliver adviſed to have it done by way of teſtation. Eleven ſeveral bulls were ſent to Rome, in order to his conſecration, which the pope granted; though it could not be very grateful to him, to ſend them to one who had ſo publicly diſputed againſt his power of diſpenſing.

On the thirtieth of March, Cranmer was conſecrated by the biſhops of Lincoln, Exeter, and St. Aſaph. The oath to the pope was of hard digeſtion; ſo he made a proteſtation before he took it, that he conceived himſelf not bound up by it in any thing, that was contrary to his duty to God, to his king, or country; and he repeated this when he took it: ſo that it muſt, however, be acknowledged that this looks a little like double dealing.

Cranmer had read many of the books of Luther, and converſed with many of his followers, while

while he lived in Germany, which had given him an unfavourable idea of the uſurpations of the court of Rome, whoſe claims he thought unſcriptural and unjuſt. As the pope had not hitherto relaxed at all with regard to England, except by delaying the excommunication with which he threatened the king, ſo it was thought proper now to go one ſtep farther towards a breach; to let him ſee that the Engliſh were not afraid of his power, and that they could do their buſineſs themſelves without him. To this end, an act of parliament was paſſed, forbidding all appeals to Rome, on pain of a præmunire.

The church of England having made a full deciſion of the diſpute by her repreſentatives in convocation, there remained nothing but to give judgment, and declare the marriage null. Cranmer aſſiſted at the wedding of Anne Bullen; and it is even ſaid that he performed the ſacred office. She began to ſhew her pregnancy, and her marriage could no longer be concealed. Catharine reſided at Ampthill, and Cranmer, with Gardiner, and three other biſhops, went to Dunſtable, where they cited her, and declared her contumacious. Anne was declared queen of England on Eaſter-eve, and, on the twenty-third of May, ſentence was given againſt Catharine, declaring her marriage to have been null from the beginning.

Among the archbiſhop's titles in the beginning of the judgment, he is called, "Legate of the "apoſtolic ſee;" which perhaps was added to give it the more force in law. The archbiſhop, in a few days after, by another judgment, confirmed the king's marriage with the lady Anne, who was crowned the ſame week, and Cranmer performed the ceremonies. The king ſent ambaſſadors to all courts to juſtify what he had done; and alſo ſent

ſome

ſome to queen Catharine, to charge her, to aſſume no other title but that of princeſs dowager.

In this manner ended the great affair of the king's divorce from queen Catharine; which had made ſo much noiſe all over Europe, which had given the king and his miniſters ſo much uneaſineſs, and which had occaſioned the revolt of the whole Engliſh nation from the ſee of Rome, as well as the ruin and deſtruction of many eminent men.

Thoſe that loved the reformation, looked for better days under the protection of queen Anne; but many prieſts and friars, both in ſermons and diſcourſes, condemned the king's proceedings, which were reviſed by the pope, who annulled all that the archbiſhop of Canterbury had done.

On the ſeventh of September, the queen brought forth a daughter, the renowned queen Elizabeth, who made afterwards ſo great a figure on the throne of England. Cranmer ſtood godfather to the young princeſs, who afterwards compleated that reformation for which he died a martyr.

The papal power had been abridged in England; and, after lopping off ſo many of its branches, it was now determined to attack the root. The parliament met in January, 1534, and paſſed a bill for taking the pope's power away; wherein they appointed that all commerce with Rome ſhould ceaſe; but declared, they did not intend to alter any article of the catholic faith of Chriſtendom, or of that which was declared in the ſcripture neceſſary to ſalvation: they ſubjected all monaſteries to the king's viſitation; and the offenders againſt this law were to be puniſhed according to the ſtatutes of præmunire. They paſſed an act for ſettling the ſucceſſion of the crown, and confirming the ſentence

tence of divorce. They regulated the proceedings againſt heretics, and the election of biſhops. Thoſe that loved the reformation, rejoiced both to ſee the pope's power rooted out, and to find the ſcripture made the ſtandard of religion.

The black impoſture of Elizabeth Barton, the nun of Kent, might have coſt the king his crown if it had happened in a darker age, when all the world went mad after viſions. She had been troubled with hyſterical fits, which ſhe afterwards counterfeited, and was taught to ſpeak againſt the divorce, ſo as to threaten the king's death if he married another wife. The parliament took the matter under conſideration, and detected the impoſture, for which ſhe, and ſix of her accomplices, were attainted of treaſon and executed. But, at the interceſſion of queen Anne, as it is expreſſed in the act, all others that had been concerned with her were pardoned. The diſcovery of this, diſpoſed all to look on older ſtories of the trances of monaſtic people, as contrivances to ſerve baſe ends, and made way for the ruin of that order of men in England.

A way was now opened for the reformation, for the accompliſhing of which archbiſhop Cranmer loſt no opportunity. That he might carry it on with true judgment, and juſtify it by good authorities, he made a great collection of the opinions of the ancient fathers and later doctors, in all the points of religion; in which Burnet ſays he had ſeen two volumes in folio: but, by a letter of the lord Burleigh's, it appears, there were then ſix volumes of Cranmer's in his hands.

He was a man of great candour, and much patience and induſtry; and ſo was, on all accounts, well prepared for that work to which the providence of God then called him. Cromwell was his

great

great and conſtant friend; a man of mean birth, but of excellent qualities. They were oppoſed by another party, headed by the duke of Norfolk and Gardiner; and moſt all the clergy went into it. But there was now to be a revolution in the Engliſh church; whereby an end was put to that blind obedience to the ſee of Rome, which had enſlaved our anceſtors for ſo many ages, without any foundation in ſcripture or reaſon.

Cranmer repreſented to the king, that if he rejected the pope's authority, it was very abſurd to let ſuch opinions or practices continue in the church, that had no foundation but papal decrees. He ſaid England was a complete body within itſelf, and that every prince ought to reform the church in his dominions by a national ſynod, eſpecially when the pope could not be prevailed upon to hold a general council.

Cranmer, at that time, made a long ſpeech in the houſe of lords, ſetting forth the neceſſity of a reformation. He begun with the impoſtures and deceit uſed by the canoniſts, and other courtiers at Rome. Then he ſpoke to the authority of a general council; and he ſhewed, "That it flowed not from the number of biſhops, but from the matter of their deciſions, which were received with an univerſal conſent. That Chriſt had named no head of the whole church, as God had named no head of the world; but that grew up for order's ſake, as there were archbiſhops ſet up over provinces; yet ſome popes were condemned for hereſy, as Liberius, and others. That, if faith muſt be ſhewed by works, the ill lives of moſt popes of late ſhewed, that their faith was to be ſuſpected; and all the privileges which princes or ſynods granted to that ſee might be recalled. That popes

ought to ſubmit themſelves to general councils, and were to be tried by them."

He then ſhewed what were the preſent corruptions of the pope and his court, which required reformation. He told them the fathers had always appealed to the ſcriptures, as ſuperior in authority to councils, by which only all controverſies ought to be decided: and he thought, when the fathers all agreed in the expoſition of any place in ſcripture, that ought to be looked on as dictated by the ſpirit of God. He ſhewed how little regard was to be had to a council, in which the pope preſided; and that, if any common error had paſſed upon the world, when that came to be diſcovered, every one was to be at liberty to ſhake it off, even though they had ſworn to maintain that error. This he applied to the pope's authority.

The nobility and gentry were generally very well ſatisfied that the king had aſſumed a ſupremacy in eccleſiaſtical affairs; but the prieſts made the people believe that the queen, Cranmer, and Cromwell, were heretics: however, the biſhops and abbots ſwore to maintain the king's ſupremacy. Cromwell was made the king's vicegerent in eccleſiaſtical matters, with precedence of all next the royal family; and his authority was in all points the ſame, that the legates had in time of popery. He immediately betook himſelf to the diſſolution of the monaſteries, that the king might have their revenues; while Cranmer made his metropolitical viſitation in his province, and carried on the ſame deſign with Cromwell. The effect of theſe viſitations was the ſuppreſſion of the abbies, and their revenues given to the king.

The general viſitation was caſt into ſeveral precincts, and inſtructions were given to direct what things

things to enquire after. The viſitors were to declare all to be abſolved from any rules or oaths that bound them to obey the pope; and, that all their ſtatutes tending to it, ſhould be raſed out of their books. They were to order, that the abbots ſhould not have choice diſhes, but plain tables for hoſpitality; that the ſcriptures ſhould be read at meals; that they ſhould have daily lectures of divinity; and maintain ſome of every houſe at the univerſity. The abbots were required to inſtruct the monks in true religion, and to ſhew them that it did not conſiſt in outward ceremonies, but in cleanneſs of heart, purity of life, and the worſhipping of God in ſpirit and truth. The viſitors went over England, and found, in many places, monſtrous diſorders. The ſin of Sodom was found in many houſes, great factions and barbarous cruelties were in others, and in ſome they found tools for coining.

The king was extremely incenſed againſt the monks, whom he conſidered as the great diſturbers of his repoſe; which, together with the proſpect of getting their eſtates into his hands, made him puſh the matter againſt them with the utmoſt violence.

Cranmer promoted this much; becauſe both theſe houſes were founded on groſs abuſes, and ſubſiſted by them; and theſe were neceſſary to be removed if a reformation went on. As ſoon, therefore as the commiſſioners had given in their report, it was very induſtriouſly propagated over the kingdom, and fully anſwered the end which the king had in view. The whole nation was ſcandalized to the laſt degree, to find the places ſacred to retirement and devotion, a few excepted, given wholly to faction, lewdneſs, idolatry, or ſuperſtition; which

made it eaſy for the king to get them ſuppreſſed in parliament.

Paul III. ſucceeded Clement in the papacy, and perceived that an accommodation with England was at an end. Therefore, to maintain the honour of the papal ſee, he excommunicated the king, abſolved all his ſubjects from their allegiance, ordered all eccleſiaſtics to leave the kingdom, and the nobility to take up arms againſt the king. He forbid Chriſtians of all nations to have any commerce with the Engliſh people, laid the kingdom under an interdict, and annulled all the treaties which foreign princes had made with Henry ſince his ſecond marriage, declaring the iſſue of it to be illegitimate.

Queen Catharine died at Kimbolton on the eighth of January, 1536, in the fiftieth year of her age, thirty-three years after ſhe came to England. She was a devout and exemplary woman, and highly eſteemed by all ſorts of people. The king appeared much affected at her death, and cauſed her to be interred in a monaſtery at Peterborough; which, for the honour of her memory, he reſerved when the reſt fell, and erected it into an epiſcopal ſee.

The king ſoon after fell in love with Jane Seymour; and queen Anne fell a victim to his luſt, and the intereſt of the popiſh party. Anne Bullen was beloved by the nation, and was ſo much ſet on doing good, that, in the laſt nine months of her life, ſhe gave above fourteen thouſand pounds in alms to the poor.

The day after Anne Bullen's death, the king married Jane Seymour, who gained more upon him than all his wives ever did: but ſhe was happy that ſhe did not outlive his love to her. This ſtrongly

ſtrongly ſhews the rage and injuſtice of the king in the fall of queen Anne, of which the proteſtant princes in Germany were ſo ſenſible, that they refuſed to make Henry the head of the confederacy entirely on this account.

In the parliament of 1536, two farther acts were paſſed againſt the papal power. The convocation, or rather an aſſembly of all the biſhops, ſate at the ſame time, and was much employed in examining ſome points of religion. It was hoped that Cranmer was now declining by the fall of queen Anne; and the enemies of the reformation complained of ſixty-ſeven opinions that they found were much ſpread in the kingdom: but all their projects failed; for Cranmer was fully eſtabliſhed in the royal favour; and Cromwell was ſent to the convocation with a meſſage from the king, that they ſhould reform the rites and ceremonies of the church, according to the rules ſet down in ſcripture, which ought to be preferred to all gloſſes or decrees of popes. Cranmer took occaſion to ſhew the uſeleſneſs of the ſchool-divinity, and proved the abſolute neceſſity of the ſcriptures to all the purpoſes of religion. He preſſed a reformation; and, after a ſharp conteſt againſt Edward Lee, archbiſhop of York, Gardiner, and others, they agreed on the following articles of religion, which made a great change in the doctrine and diſcipline of the church.

1. That the biſhops and preachers ought to inſtruct the people according to the ſcripture, the three creeds, and the four firſt general councils. 2. 3. That baptiſm and penance were neceſſary to ſalvation. 4. That in the Euchariſt, under the forms of bread and wine, were the very fleſh and blood of Chriſt. 5. That juſtification was the remiſſion of ſins, and a perfect renovation in Chriſt;

and, that not only outward good works, but inward holineſs, were abſolutely neceſſary. The other articles concerned only the rites and ceremonies of the church, as what related to images, ſaints, ceremonies in worſhip, and purgatory.

Roger Aſcham, the orator of the univerſity at Cambridge, could not endure the ſmell of fiſh, and applied to Cranmer for a diſpenſation to eat fleſh in Lent, and on fiſh days, which were then ſtrictly obſerved in the colleges. The archbiſhop did not know him, but received his ſuit with all humanity. But, whether he thought it out of his power to grant a licence of that latitude, or to avert the cenſure that he might incur, if he ſhould have done it by his own authority; or reckoning it a matter of law, rather than religion, he put himſelf to the trouble of procuring the king's licence under the privy-ſeal for Aſcham: and, when he had done that, conſidering an academic's poverty, he releaſed him of the whole charges of taking it out, paying the whole fees himſelf. The archbiſhop's opinion concerning Lent, made way for his more ready yielding to Aſcham's requeſt; for he held the keeping of Lent, as founded in a poſitive law, rather than as a religious duty, and thought it neceſſary that ſo the people ſhould be taught and inſtructed.

The ſame year, Cranmer ſent Eraſmus a preſent of eighteen angels. The Engliſh nation abounded with diſcontented people, and inſurrections and rebellions enſued. The latter times of Henry VIII. may be compared well enough with thoſe of the emperor Conſtantius, who was cruel towards thoſe that truly or falſely were charged with treaſon.

The new queen was delivered of a prince; but died in child-bed, in 1537. Cranmer and Cromwell, ſeeing their hopes of the reformation decay, after

after the deaths of Anne Bullen and Jane Seymour, thought it neceſſary to ſupport their party by marrying the king to Anne of Cleve. Cromwell ſoon after loſt his life for making this match; but Cranmer ſtill had the favour of the king.

The Bible was tranſlated into Engliſh by the means of Cranmer, who began with the New Teſtament, taking Tindal's tranſlation, which he divided into ten parts, and ſent to the beſt learned biſhops, and others, each of them a part, to make a perfect correction thereof. It was printed in Auguſt, 1537, by Richard Grafton; and the archbiſhop ſaid this gave him more good than the gift of ten thouſand pounds. Cromwell procured a general warrant from the king, allowing all his ſubjects to read it; for which Cranmer wrote his thanks to Cromwell, "and rejoiced to ſee the day "of reformation now riſen in England, ſince the "word of God ſhone over it all without a cloud." The clergy were ordered to ſet up Bibles in their churches, and to encourage the people to read them; as alſo to teach them the Creed, the Lord's Prayer, and the Ten Commandments, in Engliſh. Some of the main points of the former ſuperſtition were alſo ſtruck at, about images, pilgrimages, and the invocation of ſaints: but the free uſe of the ſcriptures gave the deadlieſt blow to all; and all the clergy ſubmitted to them without any murmuring.

The king drew up ſix articles, which the duke of Norfolk offered to the parliament. The firſt was for the corporal preſence. 2. For communion in one kind. 3. For obſerving the vows of chaſtity. 4. For private maſſes. 5. For the celibacy of clergy: and the ſixth was for auricular confeſſion. The king intended by theſe articles to ſcreen

himſelf from the imputation of hereſy and innovation.

Cranmer was the only perſon who had courage of mind enough to oppoſe the eſtabliſhing theſe articles by act of parliament: he argued againſt them for three days together in the houſe of lords with great ſpirit and judgment: but he was ſingle and unſupported. When it came to the vote, the king deſired Cranmer to go out; but he excuſed himſelf, for he thought he was in his conſcience obliged to vote againſt it.

Theſe articles were paſſed into a law, whereby none were ſuffered to ſpeak a word againſt the doctrine of tranſubſtantiation, upon pain of being burnt to death as a heretic, without the benefit of abjuration; and it was made felony to diſpute againſt the other five articles, or for married prieſts to retain their wives.

The poor reformers were now expoſed to the rage of their enemies, and had no comfort from any part of it but one, that they were not delivered up to the cruelty of the eccleſiaſtical courts, or the trials ex officio; but were to be tried by juries: yet the denying the benefit of abjuration was a ſeverity without a precedent, and was a forcing martyrdom on them, ſince they were not to be the better for their apoſtacy.

The king ordered Cranmer to put in writing all the arguments he had uſed againſt the ſix articles, and bring them to him. By the ſtatutes, this was a crime which might bring a man to the ſtake; but the archbiſhop, confiding in the king's honour and friendſhip, drew up his reaſons which had induced him to oppoſe this law; grounded chiefly on the ſcriptures, and the authority of the ancient doctors of the church. The Roman zealots ſeconded their

their blow by "A Book of Ceremonies to be "uſed by the Church of England," all running after the popiſh ſtrain: but our laborious metropolitan anſwered it himſelf, and prevented its reception.

Cranmer procured an order that all private perſons might have Bibles in their houſes, which was vehemently oppoſed by Gardiner, who inſiſted that, without tradition, it was impoſſible to underſtand the meaning of the ſcriptures; and one day, before the king, he challenged Cranmer to ſhew any difference between the ſcriptures and the apoſtles canons. The reſult of the debate was, the king judged in favour of Cranmer, and ſaid, he was an old experienced captain, and ought not to be troubled by freſh men and novelties.

Cromwell was beheaded in 1540, having been deſerted by all his friends except Cranmer, who alone ventured to write to the king in his favour; but to no purpoſe, though he was condemned without the knowledge of what he was guilty.

The next work of the popiſh party was to ſacrifice Cranmer, who became inſtrumental to the reformation in Scotland. Gardiner and his party preferred bills of accuſation againſt Cranmer's chaplains, upon the ſtatute of the ſix articles; and they drew up another book againſt the archbiſhop himſelf.

Gardiner employed many to infuſe it into the king, that Cranmer gave the chief encouragement to hereſy of any in England, and that it was in vain to lop off the branches, and leave the root ſtill growing. The king till then would never hear the complaints that were made againſt Cranmer; but he was now willing to draw out all that was to be ſaid againſt him, that he might penetrate into the depth

depth of this deſign, which he found was conducted by Gardiner.

His majeſty went in his barge to Lambeth, and ſhewed the archbiſhop the accuſations that had been alledged againſt him. His grace confeſſed he was ſtill of the ſame mind as when he firſt oppoſed the ſix articles, though he had done nothing contrary to them, and deſired the king that he might have a trial. Henry then aſked him about his wife; and Cranmer ſaid, he had ſent her into Germany on the paſſing of this act.

His majeſty was ſo charmed with his openneſs and integrity, that he diſcovered the whole plot that was laid againſt him, and inſiſted on his proceeding againſt his enemies. But the good archbiſhop made it appear, that he was actuated by that meek and lowly ſpirit that become all the followers of Chriſt; more eſpecially one that was ſo great an inſtrument in reforming the Chriſtian religion; and did in ſuch eminent acts of charity ſhew that he himſelf practiſed what he taught others to do. However, the ſeverity of the ſix articles was qualified by parliament, to prevent ſuch diſcoveries for the future.

But another deſign was laid againſt Cranmer's life, in 1546, which the king alſo diſcovered to him, and upbraided his enemies, who were then convinced of his majeſty's unalterable favour to him, and never made any more attempts upon him.

The archbiſhop had hitherto wore his paternal coat of arms, which were three cranes ſable: but the king now altered them into three pelicans feeding their young with their own blood, and told his grace, "That thoſe birds ſhould ſignify to him, that he ought to be ready, like the pelican, to ſhed his

his blood for his young ones, brought up in the faith of Chriſt; "for," ſaid the king, "you are "like to be tried if you will ſtand to your tackling "at length:" which accordingly happened.

Gardiner then attempted to perſuade the king that his queen, Catharine Parr, was a heretic; but ſhe artfully eſcaped the danger; and theſe attempts againſt her and the archbiſhop proved very prejudicial to the enemies of the reformation. Cranmer would not meddle in their diſgrace and fall, but retired to Croydon, while the attainder paſſed againſt the duke of Norfolk, and continued there till the king ſent for him when he was dying. His majeſty was ſpeechleſs before Cranmer came; however, his grace deſired that, if the king was ſenſible, he would give ſome token of his dying in the faith of Chriſt; upon which he ſqueezed the archbiſhop's hand, and ſoon after expired.

Henry was ſucceeded by his ſon Edward, under whoſe government and protection the ſtate of Cranmer, who was his godfather, was not impaired, but advanced. The archbiſhop was one of the council appointed by the late king's will. He was now delivered from the conſideration of fear, intereſt, and gratitude, that had fettered him during the late king's reign. He had the ends of reformation ſo much at heart, that he had not enough attended to the rectitude of means. His parts were ſlow, but ſure; his zeal was gentle, but ſtrong: in conduct, he was not intrepid, but perſevering: he ſometimes deviated from the road, but he never loſt ſight of the object; and, when he was at liberty to return to the right path, his approaches to reformation were rapid, though ſilent; for his motions were quickened when the reſtraint was removed.

The

The young king was crowned by the archbiſhop, who made an excellent ſpeech, wherein he explained the ends of the ſolemn rites of coronation; and ſhewed, that it was not in the power of biſhops, after having anointed the kings, to receive or reject them. He exhorted the young king to follow the precedent of good Joſias, to regulate the worſhip of God, to ſuppreſs idolatry, reward virtue, execute juſtice, relieve the poor, repreſs violence, and puniſh the evil-doer.

This ſpeech occaſioned a royal viſitation to be reſolved on, for rectifying the diſorders of the church, and reforming religion. The greateſt difficulty which Cranmer met with in his deſign, was the miſerable condition of the parochial clergy, and the want of able men to propagate it over England. He had procured ſeveral of the beſt books, written abroad againſt popery, to be tranſlated and publiſhed in England. He likewiſe publiſhed a Catechiſm, which he tranſlated and improved from the Latin, and was principally aimed at the aboliſhed worſhip. He alſo compoſed ſeveral homilies, to be delivered by prieſts, many of whom were too ignorant for compoſing ſermons. Theſe, with a great number of other tracts, diffuſed the principles of reformation; and part of the Engliſh ſervice for the evening-prayer, was ſaid in the king's chapel. The ſacrament was adminiſtered in both kinds; the doctrine of purgatory was exploded with the reformed, and the marriage of the clergy was allowed.

The book of Homilies was chiefly compoſed by Cranmer, and was intended principally to explain the method of our ſalvation according to the Goſpel. Beſides this book of Homilies, and the Bible, it was likewiſe ordered there ſhould be, in every church,

church, Eraſmus's Paraphraſe on the New Teſtament, tranſlated into Engliſh, for the inſtruction of the leſs learned part of the clergy, as well as the people.

The ſix articles made by king Henry, had been more obſerved than the injunctions publiſhed by Cromwell, and a new ſet of injunctions were given to the viſitors to diſtribute throughout every pariſh. They ſummoned the biſhops and the members of each cathedral, who were to take the oath of ſupremacy, and preſent all things in their church and dioceſe that were neceſſary to be reformed. The injunctions were thirty-ſix in number, which ſhew the moderation of the reformers, and the wiſdom and care of the good archbiſhop: but they likewiſe ſhew to what a degree of corruption and ſuperſtition the church of England was degenerated, and how much it ſtood in need of a reformation: and "it would be well for the church "and for religion, if ſome of theſe corruptions did "not continue to this day to be complained of."

The viſitors met with little oppoſition; and Cranmer ſucceſsfully carried on the reformation till the fall of his illuſtrious friend the lord protector. The archbiſhop wrote "The True Doctrine of the Sacrament in five books," for the public inſtruction of the church of England, which was received in the reign of queen Elizabeth. It was anſwered by Gardiner, whom the archbiſhop eaſily confuted in open court at Lambeth.

The Sacrament being the commemoration of Chriſt's ſacrifice on the croſs, and ſo, by a figure of ſpeech, being called a ſacrifice, the people were taught to imagine, that the conſecration and conſuming of the elements by the prieſts was an action expiatory in itſelf both for the dead and living. Hence aroſe that infinite number of maſſes in the church

church of Rome, for ſaints, for ſouls, for rain, for health, for any particular bleſſing, and indeed for all the accidents of human life, which were diſtinguiſhed only by the variation of a collect. But this whole trade of maſſing was now removed by an act about the ſacrament, which reformed thoſe abuſes, and ordained that the peop'e ſhould receive it in both the kinds of bread and wine, agreeable to the firſt inſtitution of Chriſt, and the primitive practice of the church.

Cranmer went on labouring and writing to root up the ſuperſtition, and to remove the prejudices of his countrymen: but he was oppoſed in his deſign by many, eſpecially in the univerſities. However, under all this oppoſition, and even under all this abuſe, his ſpirit breathed nothing but gentleneſs and perſuaſion. When it was obſerved to him, that, if his opponents had the power which he then poſſeſſed, they would ſhew his grace no favour; he replied, with the piety of a true Chriſtian, "Well, if God ſo provide, we muſt abide it."

The archbiſhop had ſeveral learned men in his family; ſome of which he ſent for from abroad, and entertained others in compaſſion, who were exiles for religion. Among the former, were Martin Bucer, and Peter Martyr, who, by the direction of his grace, wrote to the princeſs Elizabeth, commending her ſtudy in piety and learning, and exciting her to proceed therein. Thoſe two eminent divines were preferred to public places of reading in the univerſities, where they were of great ſervice to the reformation, as is ſhewn in their lives. The archbiſhop employed Bucer in reviewing The Book of Common-Prayer; and the foreign proteſtants had ſuch joy and ſatisfaction with this eſtabliſhment of religion in England, that the heads of them, ſuch as Calvin and Bullinger, offered to make

make king Edward the defender of their faith, and to have epiſcopal churches, the better to aſſiſt and unite together. But this was prevented by the council of Trent, who concluded that Rome and her clergy would utterly fall if that union was not ſtopt. However, ſeveral congregations of foreigners came and ſettled in England.

"Maſs for the lady Mary was denied to the em-"peror's embaſſador. Joan Bocher, otherwiſe "called Joan of Kent, was burnt for holding, that "Chriſt was not incarnate of the Virgin Mary. "And the biſhop of Wincheſter, after a long "trial, was depoſed his biſhopric." Commiſſioners were ſent to enquire about church ornaments in 1552; and but one ſilver chalice was left to each church. A commiſſion was iſſued to the archbiſhop, and ſeveral others, to reform the eccleſiaſtical laws; which work was to be ſuperviſed by his grace, who brought it to perfection: but it wanted the royal ratification, which was delayed, partly by buſineſs, and partly by enemies. His grace alſo preſided among the commiſſioners, who drew up the book, containing the forty-two articles of religion; which he had long bore in his mind, as excellently ſerviceable for the creating of a concord and quietneſs among men, and for the putting an end to contentions and diſputes in matters of religion.

The laſt thing we hear of concerning Cranmer in this reign, was his refuſal to comply with the new ſettlement of the crown in favour of lady Jane Grey. When that inſtrument was to be ſigned by the privy-council, the archbiſhop was abſent; and when he was preſſed to ſet his hand as the reſt had done, he oppoſed the whole tranſaction with great vehemence. Nothing could move him to conſent to the diſinheriting of the daughters of his late

late ſovereingn, till the dying king requeſted it in a very moving manner; ſaying, That he hoped his grace alone would not ſtand out, and be more repugnant to his will, than all the reſt of his council were. Such a requeſt, and intended for the preſervation of the proteſtant religion, made a great impreſſion upon the archbiſhop, who firſt ſpoke with the judges, and then ſubſcribed.

Soon after the king died; but was not interred till after Mary was crowned, when archbiſhop Cranmer performed the funeral ſervice with a ſorrowful heart, according to the form in the Common Prayer-Book. He mourned for him as his godſon, as his pupil, and his king.

Queen Mary, with very bloody ſteps, aſcended the throne; from whence ſhe hurled deſtruction on the new religion, by deſtroying its principal ſupporters, as mentioned in the lives of Ridley, Latimer, and Hooper. Lady Jane Grey was not allowed the liberty of a private ſtation, by the unbounded ambition of her father-in-law the duke of Northumberland: but that excellent lady loſt her life to gratify his luſt of power, which alſo ruined himſelf and almoſt all his family.

Cranmer appeared among the council which proclaimed queen Jane, and was one of thoſe who ſigned the letter to Mary, whoſe diſpoſition he knew, and was willing to ſupport lady Jane, in hopes of ſupporting the reformation.

The duke of Norfolk, Gardiner, and Bonner, with ſome others, were releaſed from the Tower, Mary's firſt care was to eſtabliſh her own religion, and oblige the kingdom to return immediately to what ſhe called, "the union of the catholic "church." She appointed Gardiner her chancellor, to whom, with Bonner, ſhe entruſted the bloody work of deſtroying the reformation. The reformed

reformed foreigners were permitted to leave the kingdom; which was the only act of mildneſs and equity ſhewn in this reign, with reference to religion. The deprived biſhops were reſtored, and the reformed biſhops were impriſoned; the reformation laws were repealed, and the old laws revived; popery reflouriſhed, and the reformation ſeemed loſt.

Cranmer had ſaved the life of Mary merely by his ſollicitation, when her father intended to put her to death: but ſhe had conceived a mortal averſion to him, on account of the ſentence of divorce which he pronounced againſt her mother. Mary alſo called Cranmer the chief of heretics. and marked him out for deſtruction. He had eſcaped a ſnare laid for him in the Star-chamber; but he was cited before the council, and ſent to the Tower, on an accuſation of treaſon, and of publiſhing ſeditious libels. The charge of treaſon was for ſigning the inſtrument of lady Jane's ſucceſſion; and that of ſedition was for publicly offering to maintain the reformation made under the late king.

The archbiſhop had been adviſed to quit the kingdom, and avoid the ſtorm that was ruſhing on the Proteſtants, of whom about a thouſand fled to Germany and Switzerland; but the archbiſhop was determined to face the danger, and juſtify his doctrine: he would not perſuade others to abide a perſecution; yet, conſidering the poſt he held, and the principal hand he had in the reformation, he thought it an indecent thing for him to fly abroad; and no entreaties could prevail on him to go.

Holgate, archbiſhop of York, Ridley, and Latimer, were alſo committed to the Tower, whih was ſo crowded with priſoners, that Cranmer,

Ridley, Latimer, and Bradford, were all thruſt together into one chamber. They read over the New Teſtament with great care and ſtudy, to ſee if they could find any thing that might favour the popiſh doctrine of tranſubſtantiation; but they could find none; nor any thing to ſhew that the maſs was any ſacrifice for ſin.

A corrupt parliament was procured, who complied with every meaſure that could oblige the court. They abrogated all the laws made in favour of the reformation, and reſtored every thing belonging to the ancient religion. The pope ſent cardinal Pole, as his legate, "to bring back to the "fold of Chriſt the ſheep that were gone aſtray:" and, as the parliament had fully reſtored the papal authority, the legate granted the kingdom a full abſolution, which was received by both houſes on their knees. Thus every thing was brought back to the ſame ſtate as before the twentieth year of Henry VIII. with this additional grief to the proteſtants, that the queen was married to Philip, king of Spain, who came to England, where it was feared he would introduce the Auſtrian tyranny, and the Spaniſh inquiſition. Wyat's rebellion was ſuppreſſed, and the princeſs Elizabeth was impriſoned; after which, the whole kingdom became a bloody ſcene of papal fury, revenge, and cruelty.

Cranmer was committed to the Tower on the fourteenth of September, 1553, and was arraigned for treaſon in Guildhall, on the thirteenth of November following, with lady Jane Grey, and lord Guilford Dudley. As the government affected great lenity, they all pleaded guilty; though the queen was reſolved they ſhould die. Cranmer made a ſpeech to the judges, wherein he endeavoured to mitigate his crime, by appealing to the knowledge

knowledge of thoſe who were preſent, if he had not refuſed to ſign the will until the judges pronounced it to be legal. The other members of the council who had ſigned king Edward's will, were pardoned, and ſo was Cranmer of the treaſon; but his death was decreed, and it was reſolved he ſhould be proceeded againſt for hereſy, with the other biſhops.

The archbiſhop of York died in the Tower, with grief and affliction; but Cranmer, Ridley, and Latimer, were reſerved to receive the crown of martyrdom. The whole convocation had been confuted by Philpot, archdeacon of Wincheſter, in a debate about the real preſence. Many complaints were made, that the diſputes in this convocation, had not been fairly carried on, that the moſt eminent reformed divines were detained in priſon, and of thoſe who had a right to be in the houſe, but few were permitted to ſpeak, and that not without interruption and menaces. It was therefore reſolved to adjourn the convocation, and to continue the debate at Oxford, where Cranmer, Ridley, and Latimer were ſent, to give ſome ſanction to ſuch an arbitrary conference, as mentioned in Ridley's life.

Sir John Williams, on the eighth of March, 1554, by order of the council received from the Tower of London, the archbiſhop and the two biſhops, and carried them through Windſor, and ſo down to Oxford, there to diſpute concerning their faith. Cranmer was confined to Bocardo, and the other two to other places, where they were kept apart. Weſton, the prolocutor, and ſome members of the convocation, with others from both the univerſities, amounting to thirty-three in all, appeared as commiſſioners to conduct the Oxford diſputation, againſt the three proteſtant prelates.

The queen and her biſhops had concluded what ſhould become of the archbiſhop, who was to ſuffer the more terrible death of fire, as a heretic, inſtead of ſuffering by the ax, as a traitor: yet they would have the matter debated by arguments, that under ſome honeſt ſhew of diſputation, the murder of the man might be covered. The whole was a farce; for the three prelates were privately condemned, before they were publicly heard, and were treated with great indignation.

The commiſſioners after dinner held their court before the altar in the univerſity church of St. Mary; and the mayor, with a guard, brought Cranmer before them on the fourteenth of April. Weſton opened the court, by recommending unity, and declaring the articles upon which they were to diſpute. Theſe were: "Whether the natural body "of Chriſt was really in the ſacrament? Whether "any other ſubſtance did remain but the body and "blood of Chriſt? and, Whether, in the maſs, "there was a propitiatory ſacrifice for the ſins of "the dead and living?"

To what was ſaid about the unity of the church, the archbiſhop replied with ſo much modeſty and ſolemnity, and in ſuch pathetic terms, that moſt of the audience wept. As ſoon as the queſtions were ſhewed his grace, he aſſerted they were not true, and that he would maintain the negative. The archbiſhop was diſmiſſed for that day; after which, Ridley and Latimer ſucceſſively made their appearance, and both followed the example of Cranmer.

On the ſixteenth, the archbiſhop was brought into court again, which was held in the divinity-ſchool, and ſeated in the reſpondent's place. Weſton opened the debate with a ſtrange blunder, which Cranmer thought it below him to take notice of: but

but he overthrew Chedſey, who was his firſt opponent; and delivered in writing his anſwers to the three propoſitions. Firſt, he denied the real preſence; but granted an effectual one. To the ſecond, he ſaid, it ſwerved from the accuſtomed manner and ſpeech of ſcripture: and, to the third, he anſwered, it was moſt contumelious againſt Chriſt Jeſus, and a violating of his precious blood, which, upon the altar of the croſs, was the only ſacrifice and oblation for all mankind. He then delivered in a more ample explication of his reaſons, which are truly worthy of himſelf, and are fully preſerved by Fox.

Oglethorp told Cranmer, that Chriſt gave his very body: but Cranmer ſaid, that Chriſt uſed figurative ſpeech in no place more than in his ſacraments, eſpecially in this of his ſupper. Ogelthorp replied, "Chriſt uſed no tropes." "Yes," ſays Cranmer, "he might uſe them well enough. "You know not what tropes are." It was returned, that his judgment was diſagreeing with all churches. "Nay," anſwered the archbiſhop, "I "diſagree with the papiſtical church." They aſked him, What Chriſt took, gave, broke, and eat? He ſaid, to the whole queſtions, "Bread." Cole ſaid, "If Chriſt gave bread, it was not the "body; which was an argument that could not be "diſſolved." "The like argument," ſays Cranmer, "may be made: he is a rock, therefore is "not Chriſt." Weſton advanced, that he gave not his body indeed. But Cranmer told him, "He "gave his death, his paſſion, and the ſacrament "of his paſſion: and, in very deed, ſetting the "figure aſide, formally it was not his body." "Why then," replied Weſton, "the ſcripture's "falſe." "No," ſays Cranmer, "the ſcripture

" is moſt true." Weſton ſaid, " We eat the body " of Chriſt with our mouth." This Cranmer denied, and inſiſted, " We eat it through faith; not " naturally, but ſpiritually." Chryſoſtom was urged againſt him. " But," ſays the archbiſhop, " Chryſoſtom ſpeaketh of ſacraments no otherwiſe " than of Chriſt himſelf, as I could prove, if I " might have liberty to ſpeak, by many places of " Chryſoſtom, where he ſpeaketh of the ſacrament " of the body of Chriſt.' They quoted Tertullian, to prove, that the body of Chriſt was eaten with the mouth. " Read that which follows," ſays Cranmer, " and you ſhall perceive, that, by " things external, an operation internal is under- " ſtood. Inwardly we eat the body of Chriſt, and " outwardly we eat the ſacrament. So one thing " is done outwardly, another inwardly. Like as " in baptiſm, the external element, whereby the " body is waſhed, is one; the internal thing, " whereby the ſoul is cleanſed, is another."

Treſham compared the archbiſhop to Arius; of which his grace made him aſhamed, as he contradicted himſelf. Young aſked him ſophiſtical queſtions about figurative ſpeech, and impudently told him, a liar ought to have a good memory. Says Cranmer, " I look for ſcripture at your hands, " they are the foundation of diſputations: but you " interpret the ſcriptures contrary to all the old " writers, and feign a ſtrange ſenſe."

They taxed him with falſely tranſlating Juſtine, and Emiſſenus; which he diſproved. " I will op- " poſe you," ſays Weſton, " in the very articles " of your faith. Chriſt ſitteth on the right hand " of God the father: but God the father hath no " right hand; therefore, where is Chriſt now?" Cranmer anſwered, " I am not ſo ignorant a novice

" in

"in the articles of my faith, but that I underſtand "that to ſit at the right hand of God, doth ſignify "to be equal in the glory of the Father."

Then the prolucutor challenged him with ſetting forth the Catechiſm in the name of the convocation; but Cranmer ſaid, "He was ignorant of the ſetting to of that title, which he diſliked, and complained thereof to the council; who anſwered him, that the book was ſo intitled, becauſe it was ſet forth in the time of the convocation."

Weſton then charged him with miſtranſlating Thomas Aquinas; and, without waiting for any anſwer, ſaid to the people: "Thus you ſee, bre-"thren, the truth ſtedfaſt and invincible: you ſee "alſo the craft and deceit of heretics. The truth "may be preſſed, but cannot be oppreſſed: there-"fore, cry altogether, Vincit Veritas, The truth "overcometh."

This diſputation began at eight in the morning, and ended at two in the afternoon, with great triumph; as though Cranmer had been confounded in the opinion of all the audience, which they had ſhewn by their noiſe and laughter when the archbiſhop was carried back by the mayor to priſon, and the doctors dined together at the univerſity college. This diſpute was carried on with much indecency by the committee; the prolocutor calling the archbiſhop ſometimes an unlearned, and ſometimes an impudent man; and many others hiſſing, whilſt he was ſpeaking, to prevent his being heard.

Ridley and Latimer were alſo brought before theſe commiſſioners, who treated them in the ſame manner as they had done the archbiſhop. The ſame week, Harpsfield diſputed his degree, and Cranmer was called upon for one of the oppo-

nents; in which he gained the public applauſe of his very enemies.

On the thirteenth of April, Cranmer wrote a letter to the privy-council, complaining of the confuſed manner in which the diſputation was held; as alſo, that it was concluded in one day, though ſuch weighty matters could hardly be ended in three months, and he himſelf had more to ſay than could be well diſcuſſed in twenty days.

Cranmer, Ridley, and Latimer, on the twentieth of April, were brought again to St. Mary's before the commiſſioners; when the prolocutor told them they were overcome in the diſpute, and required them to ſubſcribe the queſtions in the affirmative. They refuſed; and the court condemed them as heretics. Upon this the archbiſhop ſaid, "I ap-"peal from this your ſentence to the juſt judgment "of almighty God; truſting to be preſent with "him in heaven, for whoſe preſence on the altar I "am thus condemned."

The deſign of opening another court at Cambridge was dropt; and the execution of Cranmer was deferred by the crafty old chancellor, who told the queen and council, that the beſt thing they could do, was to try to ſhake his fortitude and integrity. Beſides, the pope would not allow the ſee to be vacant by attainder, till Cranmer was deprived by a commiſſion from Rome. That commiſſion was brought over, appointing Brooks biſhop of Glouceſter, to demand juſtice againſt Cranmer; and he, aſſiſted by two commiſſioners from the queen, exhibited articles againſt the archbiſhop at Oxford, as the pope's delegate.

When his grace was brought into court, at St. Mary's church, on the twelfth of September, he paid

paid his reſpects to the queen's commiſſioners, as repreſenting the ſupreme authority of the nation; but he gave none to Brooks, as the pope's repreſentative.

Many arguments paſſed between the archbiſhop and his judges. In concluſion, his grace aſſured them, that the loſs of his promotion was ſo far from grieving him, that he thanked God for it very heartily; and, that his only concern was, to ſee all the pains and trouble which king Henry and himſelf had taken, to retrieve the authority of the kings of England, and to vindicate the nation from the baſeneſs and inconvenience of a foreign yoke, wholly thrown away. He was then cited to appear at Rome in eighty days; which was only a mockery of juſtice; for he was willing to go, but they remanded him back again to priſon.

The biſhops of Glouceſter, Lincoln, and Briſtol, were ſent to Oxford, by a commiſſion from cardinal Pole, to proceed againſt Latimer and Ridley, who refuſed to recant, and were burnt on the ſixteenth of October.

The time ſoon came that Cranmer was to ſuffer the ſame fate. A mock proceſs had been carried on againſt him at Rome, where he was pronounced contumacious, for not appearing before the pope, when he was detained in priſon by the queen. A commiſſion was ſent over to Bonner, biſhop of London, and Thirlby, biſhop of Ely, to degrade, excommunicate, and conſign him over to the ſecular power.

The two biſhops came to Oxford, and read their commiſſion before the archbiſhop in the choir of Chriſtchurch, on the fourteenth of February, 1556. Bonner entered upon this buſineſs with great pleaſure, as a piece of revenge upon Cranmer, who had deprived him; but Thirlby aſſured Cranmer, that

that this was the moſt ſorrowful action of his whole life, and that no earthly conſideration, but the queen's command, ſhould have engaged him in it.

When their commiſſion was read, they proceeded to degrade the archbiſhop, by cloathing him as a prieſt ready to maſs; upon which he ſaid, "What, "I think you would have me ſay maſs?" Then they cloathed him in pontifical robes of canvaſs, to make him appear ridiculous; which were taken from him, piece after piece, according to the Romiſh ceremonies of degradation. Bonner inſulted him all the time with rude and ludicrous expreſſions, addreſſed to the aſſembly; but Thirlby wept, and intreated Bonner to forbear his inſolence.

Bonner gratified his native brutality by this ſeverity to his great but unhappy metropolitan, who bore it with all his wonted fortitude and patience: He told them, the degradation gave him no concern, for he had long deſpiſed thoſe ornaments: but, when they came to take away his croſier, inſtead of delivering it, he held it faſt, and delivered his appeal to Thirlby; ſaying, "I ap-"peal to the next general council; and herein I "have comprehended my cauſe, and the form of "it, which I deſire may be admitted:" and called upon ſeveral ſtanders-by, by their names, to be witneſſes.

In this appeal, he declared, "That a general council is above the pope. That he was cited to appear at Rome, and condemned while he was impriſoned. That he was cited at Oxford by Brooks, who denied him council, contrary to the equity of all laws, both of God and man. That his appeal from Brooks was diſregarded, and a copy of his anſwers was refuſed. That he denied the papal authority, and appealed from all its proceedings,

as

as moſt unequal and unrighteous, moſt tyrannical and violent, unto a free general council. That his doctrine was taken purely and ſimply from the ſcripture; and that, if he erred, he could not be a heretic, becauſe he was ready in all things to follow the judgment of the moſt ſacred word of God, and of the holy catholic church; but that he was accuſed for an heretic, becauſe he allowed not the doctrine lately brought in of the ſacrament, nor would conſent to words not accuſtomed in ſcripture, and unknown to the ancient fathers; but newly invented, and brought in by men, and belonging to the deſtruction of ſouls, and overthrowing of pure and reformed religion."

When they had ſtript the archbiſhop of all his habits, they put upon his jacket a poor yeoman-beadle's gown, threadbare and ill-ſhaped; alſo a townſman's cap on his head; and ſo delivered him up to the ſecular power, to be carried back to priſon, where he was kept entirely deſtitute of money, and the intercourſe of friends. Such was the cruelty and iniquity of the time, that men could not do good without puniſhment; and a gentleman was taken into cuſtody by Bonner for giving ſome money to Cranmer to buy him a dinner.

The degraded archbiſhop had been impriſoned almoſt three years; and now he was condemned, every engine that could be thought of was employed to overturn his conſtancy, and make him recant. The gentleneſs and ſeverity of his treatment were equally fatal to his firmneſs. He was removed out of priſon to the dean's lodgings at Chriſt-church, where he was treated with great civility and reſpect.

The beſt divines the queen had in her party were ſent to him every day, to argue with him upon his opinions, and to ſeduce him into a recantation

with

with the hopes of life and preferment. They inſenſibly ſapped his reſolution more than all the bloody jeers of Bonner, in degrading him, had done. But, notwithſtanding all that, his conqueſt was not eaſy. He had in his heart a thorough deteſtation of the Romiſh faith: the great things he had done for the reformation, the high expectations the world had of his ſanctity, and the ſhame of public apoſtacy, long maintained in his breaſt ſo ſtrong a ſtruggle, with the hopes of life and the reſtitution of his honours, that his ſeducers were obliged to enhance the value of their gentleneſs to him, by a rougher courſe of uſage, and by ſhutting him up in a confined loathſome priſon. This was more than his reſolution could bear, and his enemies were ſenſible, if he was once brought to wayer, he muſt ſoon fall as low as they could wiſh.

Cranmer wrote to the queen, to juſtify his conduct and appeal: He thought, at firſt, to reconcile his ſafety to his principles, by owning the papal authority, upon the ſame footing that he and the other reformers had owned that of the two laſt kings; that is, a parliamentary right, confirming the proceedings of the king and queen in that reſpect. His enemies encouraged this hint, and ſeemed to wiſh to ſee, under his own hand, the conceſſions he was willing to make. They told him, the queen was reſolved to have Cranmer a catholic, or no Cranmer at all: that he was beloved by the nobility, and his return would be acceptable to their majeſties: that he was ſtill ſtrong and vigorous, and might live many years, if he would not willingly put an end to his own life by the terrible death of burning.

After ſhewing ſo much wiſdom, fortitude, and Chriſtian courage, he unhappily fell before theſe temptations,

temptations. The infirmities of human nature got the better, and he was perſuaded to ſubſcribe an abjuration of his religion, in hopes of prolonging his life, that he might finiſh his anſwer to Marcus Antoninus Conſtantius, meaning Gardiner.

His enemies obtained from him three different recantations; and Bonner drew up a fourth, which Cranmer ſigned on the ſixteenth of February. But, as the malice of his enemies was infernal, ſo it was inſatiate. Another, and another more prolix form of recantation was preſented to him; and the unhappy Cranmer gave his hand to all. It was thereby declared, "That he renounced all manner of hereſies and errors of Luther and Zuinglius: That he acknowledged the ſupremacy of the pope, and believed in all the abſurdities of the church of Rome: That he required all ſuch as had been deceived, either by his example or doctrine, to return to the unity of the church."

This recantation was immediately printed, and diſperſed all over the kingdom. The papiſts received it with the loudeſt inſults, and the reformed with great affliction. The queen was pleaſed, but not ſoftened. Cranmer was too criminal in her eyes to hope for mercy. No converſion, however ſincere; nor recantation, however ample, could cancel, in her mind, the memory of her mother's divorce and her own ſufferings. As ſhe had reaſon to believe that Cranmer was by this time thoroughly popiſh, a ſignal triumph muſt be prepared for that religion, and his tongue muſt accompany his hand in belying his heart. The cruel queen had made a merit of pardoning his private offences againſt herſelf, that ſhe might put him to death with greater torment under a pretence of religious zeal; but, when ſhe found her meaſures broke by his abjuration, ſhe pulled off the maſk,

and

and ſhewed that nothing would ſatisfy her but his death. She ſaid, that, as he had been the great promoter of hereſy, which had corrupted the whole nation, what was ſufficient in other caſes, ſhould not ſerve his turn, and ſhe was reſolved he ſhould be burnt.

Cranmer was then ſent back to his former priſon, and the writ for his execution was ſent down by lord-chancellor Heath, under the broad-ſeal, the latter end of February. The queen ſent Cole, the provoſt of Eaton, to Oxford, with private inſtructions to prepare the ſermon for his execution; and ordered the lords Williams and Chandos, and ſome other men of faſhion, to be there on the day appointed, with their retinue, to prevent diſturbance.

Cole viſited Cranmer, affected great tenderneſs for his condition, and even gave him fifteen crowns to beſtow upon the poor: but he was joined with a Spaniſh friar, and other tools of ſuperſtition, in the inhuman commiſſion to prevail upon Cranmer to tranſcribe his recantation with his own hand, and read it to a public audience, in as full terms as could be deviſed. With this Cranmer complied; though, as ſoon as he ſhould ſeal his own condemnation, it was ordered that he ſhould be hurried to the ſtake.

Till this time, he had no ſuſpicion that they intended to burn him after his abjuration. He now perceived to what this tended, therefore he reſolved to diſburthen his conſcience, and revoke his recantation. He wrote a ſincere confeſſion of his faith, ſuch as flowed from his conſcience, and not from fear; which he was determined to make uſe of, when he ſaw his occaſion.

On the twenty-firſt of March, 1556, which was the day appointed for his execution, Cranmer was brought

brought from the priſon of Bocardo to St. Mary's church, and placed oppoſite to Cole; upon a low ſcaffold, in ſight of the people. He was uncertain of his fate, and thought he was brought there to be a ſpectacle of ſhame, rather than an object of cruelty; for it was pretended, he was only to hear a ſermon by Cole upon his converſion: but that ſermon ſoon convinced him of the truth.

Never was there a more awful, or more melancholy ſpectacle beheld in England. A venerable archbiſhop, above 20 years the ſecond man in the kingdom, and univerſally beloved for his innocence and ſweetneſs of temper, now cloathed in rags, and ſet up as a gazing-ſtock to the world, betrayed, by falſehood and diſſimulation, to act againſt his conſcience, and hurried blindfold into eternity without warning! The papiſts thought to have a great triumph that day, in Cranmer's public recantation: but it turned againſt themſelves.

Cole vindicated the juſtice of the queen in bringing Cranmer to the ſtake, though he had diſclaimed his errors, and aſſured him there ſhould be dirges and maſſes ſaid for his ſoul in all the churches of Oxford after his execution.

It was not till after all hopes of life were vaniſhed, that Cranmer ſhewed a becoming contempt of death. During the ſermon, the motions of his body ſufficiently diſcovered the ſorrows of his mind. He turned his eyes to heaven, as hoping for pardon; he ſmote his breaſt in the bitterneſs of his ſpirit; every look was full of deep contrition, and every geſture of pathetic eloquence.

At laſt he was called upon by Cole to declare his faith, that he might give the world ſatisfaction of his dying a good catholic. While the audience was wrapt up in ſilent expectation of the event, Cranmer ſhewed great dignity of action; and kneeling

kneeling, ſaid an excellent prayer of the mercy of God. He then roſe up, and repeated the articles of the Apoſtle's Creed; profeſſed, in the ſtrongeſt manner, great veneration for the ſcriptures; and proceeded to give the hearers an excellent diſcourſe upon their duties as ſubjects and Chriſtians. By keeping in general terms, the audience conſidered all he ſaid, only as a prelude to his recantation: but when he came to that part, he turned ſo quick, that amazement kept them ſilent then, as attention had done before. He profeſſed the higheſt deteſtation of his apoſtacy in theſe words: "I come "now to the great thing, that ſo much troubleth "my conſcience more than any other thing that "ever I did or ſaid in my whole life; and that is, "the ſetting abroad of writings contrary to the "truth; which here I renounce and refuſe, as "things written with my hand, contrary to the "truth which I thought in my heart, and written "for fear of death: and that is, all ſuch bills and "papers, which I have written or ſigned with my "hand ſince my degradation, wherein I have "written many things untrue; and, as my hand "offended, contrary to my heart, my hand ſhall "be firſt puniſhed; for, when I come to the fire, "it ſhall be firſt burnt. As for the pope, I refuſe "him as Chriſt's enemy, and Antichriſt with all "his falſe doctrine: and, as for the ſacrament, I "believe as I have taught in my book againſt the "biſhop of Wincheſter; which teacheth ſo true a "doctrine of the ſacrament, that it ſhall ſtand at "the laſt day before the judgment of God, where "the papiſtical doctrine, contrary thereto, ſhall be "aſhamed to ſhew her face."

It is impoſſible to expreſs the confuſion into which the whole aſſembly was thrown by this unexpected

expected declaration. Many of the reformed were preſent, who rejoiced at his conduct: but when the papiſts recovered their conſternation, they charged him with falſehood, and bid him no longer diſſemble: to which he replied, he always loved ſimplicity, and never diſſembled before his recantation in all his life. He would have gone on farther about the ſacrament, and of papacy; but Cole cried, "Stop the heretic's mouth, and take "him away." The monks and friars forcibly pulled him from the ſcaffold, and hurried him away to the ſtake where Ridley and Latimer had before been offered; reproaching him all the way for retracting his abjuration.

We are to impute the behaviour of Cranmer, in the laſt ſcene of his bitter paſſion, to magnanimity rather than to deſpair. There was ſomething in it ſo great, ſo noble and collected, that he ſeemed to riſe a new being from his fall. But if his enemies were diſappointed by his behaviour in the church, they were doubly ſo by that at the ſtake. As ſoon as he came to it, he prayed and undreſſed himſelf to his ſhirt with a chearful countenance. His ſhirt was made long down to his feet: his feet were bare, and ſo was his head, where a hair could not be ſeen. His beard was ſo long and thick, that it covered his face with wonderful gravity; and his reverend countenance moved the hearts both of his friends and enemies. The friars tormented him with their admonitions; while Cranmer gave his hand to ſeveral old men, and others that ſtood by, bidding them farewell.

When he was tied to the ſtake, and the fire kindled, he ſeemed ſuperior to all ſenſation but that of piety. He ſtretched out his offending hand to the flame, which was ſeen burning for

ſome time before any part of the fire came to his body; nor did he draw it back, but once to wipe his face, till it was conſumed; ſaying often, "This "unworthy hand, this hand hath offended:" and as often uſing the words of the bleſſed martyr St. Stephen; "Lord Jeſus receive my ſpirit," till the fury of the flames putting him to ſilence, he gave up the ghoſt.

He burnt, to all appearance, without pain or motion, and ſeemed to repel the torture by mere ſtrength of mind; teſtifying a repentance for the fault which he had committed. He was ſo intrepid in his death, that it ought to cancel all reproach of timidity in his life. But the ſtory of his heart being found entire in the flames, ſeems to have been forged and adopted by proteſtant fanatics; though biſhop Burnet mentions it as a fact. Cranmer, however, is juſtly numbered among the nobleſt martyrs of Chriſt, and is much more worthy the name of St. Thomas of Canterbury, than he whom the pope falſely canonized in the reign of Henry the ſecond.

Thus ended the life of archbiſhop Cranmer, in the ſixty-ſeventh year of his age, and the twenty-third of his primacy; leaving an only ſon of his own name behind him. The meekneſs, humility, forgiveneſs, and benevolence of this prelate, rendered him amiable, as a man, beyond all expreſſion; and, notwithſtanding the public demands upon him, as the head of the reformation, he found time to diſcharge the proper duties of an archbiſhop.

The learning which he had acquired in the canon and civil law, was equal to that of his chief cotemporaries; but his labours in ſearching into all eccleſiaſtical authors, ancient and modern, and

making

making extracts from them, on all the points of religion, with his own hand, would have as much exceeded our comprehenſion, if it had not been ſo well atteſted, as it exceeded the diligence of all his predeceſſors in the chair of primates. His only defect, as a man of letters, was in his ſtile, which was diffuſed and unconnected.

He is juſtly conſidered as the great apoſtle of the reformed church of England; and he has been ranked, not only with the greateſt primitive biſhops, but alſo with the fathers of the firſt claſs, who were the immediate ſucceſſors of the apoſtles. To ſay, with his enemies, that he was ſubject to infirmities, is only ſaying, that he was a man; while we dare not, with his friends, pretend that he was all perfection in a mortal ſtate. "In ſhort," ſays a learned divine, "if we look at Cranmer in all "points of view, we muſt allow him to have "been a prodigy of a man: his equal was never "ſeen yet in the ſee of Canterbury; and, I will "take upon me to ſay, that his ſuperior never will "be."

He was ſucceeded by cardinal Pole in the primacy, who was willing to ſtop the carnage that Bonner made among the reformed. Pole had as great probity and virtue as moſt of the age, if not as all of that church, in which he lived; but he could not ſoften the cruelty of the queen, whoſe reign ought to be tranſmitted down to poſterity in characters of blood; as her perſecution was the moſt terrible that raged ſince the time of Diocleſian. It was ſhort, hateful and inglorious; but, while ſhe ſwayed the ſceptre, no leſs than two hundred and eighty-four lives were offered up at the ſtake. It is even ſaid, that above four hundred were executed in public, beſides thoſe mur-

ſome time before any part of the fire came to his body; nor did he draw it back, but once to wipe his face, till it was conſumed; ſaying often, "This "unworthy hand, this hand hath offended:" and as often uſing the words of the bleſſed martyr St. Stephen; "Lord Jeſus receive my ſpirit," till the fury of the flames putting him to ſilence, he gave up the ghoſt.

He burnt, to all appearance, without pain or motion, and ſeemed to repel the torture by mere ſtrength of mind; teſtifying a repentance for the fault which he had committed. He was ſo intrepid in his death, that it ought to cancel all reproach of timidity in his life. But the ſtory of his heart being found entire in the flames, ſeems to have been forged and adopted by proteſtant fanatics; though biſhop Burnet mentions it as a fact. Cranmer, however, is juſtly numbered among the nobleſt martyrs of Chriſt, and is much more worthy the name of St. Thomas of Canterbury, than he whom the pope falſely canonized in the reign of Henry the ſecond.

Thus ended the life of archbiſhop Cranmer, in the ſixty-ſeventh year of his age, and the twenty-third of his primacy; leaving an only ſon of his own name behind him. The meekneſs, humility, forgiveneſs, and benevolence of this prelate, rendered him amiable, as a man, beyond all expreſſion; and, notwithſtanding the public demands upon him, as the head of the reformation, he found time to diſcharge the proper duties of an archbiſhop.

The learning which he had acquired in the canon and civil law, was equal to that of his chief cotemporaries; but his labours in ſearching into all eccleſiaſtical authors, ancient and modern, and

making

making extracts from them, on all the points of religion, with his own hand, would have as much exceeded our comprehenſion, if it had not been ſo well atteſted, as it exceeded the diligence of all his predeceſſors in the chair of primates. His only defect, as a man of letters, was in his ſtile, which was diffuſed and unconnected.

He is juſtly conſidered as the great apoſtle of the reformed church of England; and he has been ranked, not only with the greateſt primitive biſhops, but alſo with the fathers of the firſt claſs, who were the immediate ſucceſſors of the apoſtles. To ſay, with his enemies, that he was ſubject to infirmities, is only ſaying, that he was a man; while we dare not, with his friends, pretend that he was all perfection in a mortal ſtate. "In ſhort," ſays a learned divine, "if we look at Cranmer in all "points of view, we muſt allow him to have "been a prodigy of a man: his equal was never "ſeen yet in the ſee of Canterbury; and, I will "take upon me to ſay, that his ſuperior never will "be."

He was ſucceeded by cardinal Pole in the primacy, who was willing to ſtop the carnage that Bonner made among the reformed. Pole had as great probity and virtue as moſt of the age, if not as all of that church, in which he lived; but he could not ſoften the cruelty of the queen, whoſe reign ought to be tranſmitted down to poſterity in characters of blood; as her perſecution was the moſt terrible that raged ſince the time of Dioclefian. It was ſhort, hateful and inglorious; but, while ſhe ſwayed the ſceptre, no leſs than two hundred and eighty-four lives were offered up at the ſtake. It is even ſaid, that above four hundred were executed in public, beſides thoſe mur-

dered ſecretly in priſons. But the cloud was removed with her death, and her ſucceſſor was the bright ſtar under whoſe auſpicious influence the reformation was revived, re-eſtabliſhed, perfected, and perpetuated to our days, who look up to Cranmer with veneration and gratitude, as the pillar of our church, the glory of religion, an ornament to virtue, and an honour to learning.

THE

THE LIFE AND DEATH OF MARY QUEEN OF SCOTS.

THE French king, Henry II. for the benefit of his ſon, the dauphin, and Mary queen of Scots (caſting his eyes upon England) did not withdraw his French ſoldiers out of Scotland, as he had promiſed, but ſent ſecretly more daily into Scotland, and vehemently importuned the pope, to pronounce queen Elizabeth an heretic, and illegitimate, which the emperor and the king of Spain, moſt diligently, but covertly, endeavoured to hinder: yet had the Guiſes flattered the French king with ſuch ſweet hopes of uniting England to the crown of France, by the title of their neice the queen of Scots, that he openly claimed the ſame in the right of his ſon and daughter-in-law; and commanded them, when he could not obtain his purpoſe at Rome, to uſe this title in all their letters-patents: "Francis and Mary, by the grace "of God, of Scotland, England, and Ireland, "king and queen;" and cauſed the arms of England, together with the arms of Scotland, to be painted in the walls, buildings, and in the houſhold ſtuff, and alſo to be put in the heralds coats.

The Engliſh ambaſſador in vain complained, that herein great wrong was done to queen Elizabeth, with whom he had lately made a league,

and had not done this to Mary queen of England, who had proclaimed war againſt him. But Henry's ſudden death, which happened ſoon after, put an end to his attempts.

But Francis II. who ſucceeded him, and Mary queen of Scots, his wife, by the advice of the Guiſes, who were then of great authority in France, openly aſſumed the ſovereignty of England and Ireland; neither did they abſtain from claiming the arms, but ſet them out more and more. And, to Nicholas Throgmorton, the ambaſſador, a man both wiſe and valiant, it was firſt anſwered, That it was lawful for the queen of Scots to bear them with ſome little difference, to ſhew the proximity of her blood to the royal family of England. He ſtifly denied it, ſaying, that by the law of arms, no one, who was not begot of the heir himſelf, might bear the arms of any family.

Afterwards they ſaid, they bore the arms for no other reaſon, than to cauſe the queen of England to abſtain from bearing the arms of France. Yet, at length, he gained his point, at the interceſſion of Montmorancy, who did not love the Guiſes, and they left off the arms of England and Ireland altogether. But yet, from this title and uſurpation of arms, which Henry made the queen of Scots take on her, (moved thereto by the Guiſes) proceeded all the misfortunes which came ſo thick upon her afterwards, as from the original cauſe. For from hence queen Elizabeth was an open and profeſſed enemy to the Guiſes, and bore a ſecret hate againſt her, which the crafty malice of men ſo nouriſhed, the emulation increaſing between them, and new occaſions riſing daily, that they could not be extinguiſhed, but with her death.

In

In the year 1560 followed the treaty of Edinburgh, wherein, amongſt many other things, it was agreed, that the king of France and queen Mary ſhould leave off bearing of the title and arms of England and Ireland; but, when the time of confirming the ſame came, and queen Elizabeth ſent into France to have it ratified, as ſhe had done, Throgmorton the ambaſſador could not bring them to do it by any means; and, while the matter hung in ſuſpence, and reſted undetermined, Francis II. king of France, not being eighteen years of age; and, in the ſecond year of his reign died, and left the queen of Scots a widow, whether to the greater grief of the Romaniſts, or joy of the Proteſtants in Britain, is not eaſy to be determined.

The following year, Francis, earl of Bedford, was ſent into France, to condole with Charles IX. on the death of his brother, and both by himſelf and Throgmorton, he importuned the queen of Scots to confirm the treaty of Edinburgh, but in vain; for ſhe gave no other, but that ſhe could not, nor would not, determine on ſo important a matter, without the conſent of the nobility of Scotland.

The queen of Scots intending to return into Scotland, ſent Monſieur d'Oyſell to require a ſafe conduct of queen Elizabeth to paſs by ſea, and alſo for M. d'Oyſell's ſafe paſſage through England. Queen Elizabeth, before a great multitude of people, denied both the one and the other, for this cauſe, ſhe ſaid that ſhe had not ratified the treaty of Edinburgh; which, if ſhe did, ſhe promiſed to ſhew all kindneſs that might be expected from a queen, from a couſin, and from a neighbour. The queen, being vexed at this repulſe, ſent for Throgmorton, with whom

ſhe had a long conference about this matter, which we ſhall briefly ſet down out of the letters of Throgmorton, that the original and progreſs of the private malice which was between the greateſt and wiſeſt princeſſes of that age, may more evidently appear. She, diſmiſſing all the ſtanders by, ſaid thus to Throgmorton: "What is my "womanly weakneſs, and how far the paſſion of "my mind may carry me, I know not, yet it "liketh me not to have ſo many witneſſes of my "weakneſs, as your lady lately had when ſhe talk-"ed with Monſieur d'Oyſell my embaſſador: no-"thing grieveth me ſo much as that I did aſk "thoſe things which were not needful; by God's "favour I can return into my country without "aſking her leave, as I came hither in deſpite of "her brother Edward. Neither want I friends, "which can and will bring me home, as they "brought me hither; but I had rather have uſed "her friendſhip, than of any other.

"I have often heard you ſay, that the amity "between her and me was neceſſary to both our "kingdoms, yet it ſeemeth that ſhe thinketh "otherwiſe, or elſe ſhe had not given me the re-"pulſe in ſo ſmall a matter; but, perhaps, ſhe "beareth more favour unto the Scots, who rebel "againſt me, than to me the queen of Scots, "equal to her in princely royalty, her neareſt kinſ-"woman, and moſt certain heir unto her. Doeſt "thou think, that that good-will and love can be "between my rebellious ſubjects and her that "may be between her and me? What! doth ſhe "think that I ſhall be deſtitute of friends? Aſ-"ſuredly, ſhe hath driven me to aſk help of whom "I would not willingly. And they cannot won-"der enough for what purpoſe ſhe gave aid lately "unto my ſubjects. I aſk nothing of her but

"amity;

" amity; I procure no trouble unto her, nor " meddle not with the affairs of England. But " yet, I am not ignorant that there be many in " England who are not content with the eſtate as " it is now.

" She twitteth me, and ſaith, that I have ſmall " experience; I confeſs it; age bringeth expe- " rience with it; yet I am ſo old, that I can be- " have myſelf friendly, kindly, and juſtly toward " my kinsfolks and friends, and keep my tongue " from ſpeaking any thing, not beſeeming a " queen and a kinſwoman. But, by her leave, " I may ſay, that, as well as ſhe, I am a queen, " neither deſtitute of friends, and to bear no leſs " high mind than ſhe, and it may beſeem us to " meaſure ourſelves with a certain equality; but I " forbear compariſon, which is little better than " contention, and wanteth not evil will.

" As for the treaty of Edinburgh, it was made " in the life of the king my huſband, whom it " was my duty to obey in all things, and ſince " that he delayed the confirmation of the ſame, " let the blame be in him and not in me. After " his death, the counſellors of France left me to " my own counſellors; neither would my uncles " meddle with the affairs of Scotland, becauſe " they would not offend queen Elizabeth nor the " Scots. The Scots that be with me be private " men, nor ſuch fit men that I ſhould aſk counſel " of them in ſuch great matters.

" As ſoon as I ſhall have the advice of the " eſtates of my realm, I will make a reaſonable " anſwer, and I will make all the haſte I can " home, to give it the ſooner. But ſhe deter- " mineth to ſtop my way, leſt I ſhould give it, ſo " ſhe is the cauſe that I cannot ſatisfy her; or " elſe ſhe would not be ſatisfied, perhaps, for the

" intent

" intent that there may be no end of diſcord be-
" tween us.

" She caſteth often in my teeth, that I am a
" young girl, as a reproach, and truly ſhe may
" juſtly think me an unwiſe girl if I dealt in theſe
" weighty affairs without the advice of the eſtates.
" A wife is not bound, as I have heard, with the
" deeds of her huſband, neither in her honour,
" nor in her conſcience: but I do not diſpute this
" thing, yet I may ſay this thing truly; I have
" done nothing to my deareſt ſiſter, which I would
" not have done to myſelf; I have uſed all offices
" of courteſy and kindred; but ſhe either believ-
" eth not, or contemneth them: I would to God
" I were ſo dear to her, as I am near of blood, for
" this were a precious kind of kindred. God for-
" give them that ſow the ſeeds of diſſention be-
" tween us (if there be any ſuch.) But thou who
" art an ambaſſador, tell me in good ſooth; for
" what cauſe ſhe is ſo diſpleaſed with me, who ne-
" ver hurt her hitherto either in word or deed."

To this Throgmorton made anſwer: " I have
" no commiſſion to anſwer you, but to hear
" what your anſwer is, about the confirmation
" of the treaty of Edinburgh. But, if it
" pleaſe you to hear the cauſe of diſpleaſure,
" I will lay it down in few words (laying
" aſide the character of an embaſſador.) As ſoon
" as the queen my lady and miſtreſs was crowned,
" you did uſurp the title and arms of England,
" which you did not take in the reign of queen
" Mary; judge you, in your diſcretion, if a great-
" er affront can be offered to a prince: ſuch in-
" juries as this, private men cannot diſgeſt, much
" leſs princes."

" But, ſaid ſhe, my huſband's father, and my
" huſband himſelf would have it done, and com-
" manded

" manded it to be ſo. After their deceaſe, when " I was miſtreſs of my actions, I left off wholly " both thoſe arms, and the title, but yet I know not " how it can be any wrong to the queen, if I alſo a " queen, whoſe grandmother was eldeſt ſiſter to " Henry VIII, bear theſe arms, ſince others far- " ther off than I bore them: I am ſure, Courtney, " marquis of Exeter, and the ducheſs of Suffolk, " niece unto Henry VIII, by his younger ſiſter, " bore the arms of England, with borders for a " difference, by a ſpecial favour."

This not ſatisfying queen Elizabeth, who was fully perſuaded that ſhe put in delays upon ſome higher view, ſince ſhe had not propoſed to the eſtates of Scotland, who had once or twice aſſembled ſince her huſbands death, any thing about the confirmation of the treaty; ſhe being upon her way, ſent for Throgmorton again to Abbeville, where ſhe courteouſly aſked him, how ſhe might ſatisfy queen Elizabeth in word or deed: he ſaid, by ratifying the treaty of Edinburgh, as I have often ſaid. To this ſhe anſwered, " Now " hear and judge, if there be not moſt juſt rea- " ſons, which ſhe calleth delays and vain excuſes: " the firſt article in it, of ratifying the treaty of " Chaſteau Cambreſy, between England and " France, pertaineth nothing unto me. The " ſecond, of ratifying the treaty between England " and Scotland, was ratified by my huſband and " me; neither can it be ratified again, when my " huſband is expreſly named in it. The articles " 3, 4, and 5 are already performed, for the pre- " parations for war are ceaſed. The French ſol- " diers are called back out of Scotland, and the " fortreſs of Aymouth is demoliſhed, I have not " borne nor uſed the title nor arms of England " ſince my husband's death. It is not in my power

" to

" to put them out of the houſhold ſtuff, buildings,
" and letters-patents through France, as it is not
" in my power to ſend into England the biſhop of
" Valence and Randan, who are not my ſubjects,
" to diſpute about the ſixth article. And, for the
" laſt article, I hope my ſeditious ſubjects ſhall not
" have cauſe to complain of my ſeverity. But, as
" I perceive, ſhe will prevent me by ſtopping my
" return, that they ſhall not have trial of my cle-
" mency; what remaineth now in this treaty,
" which may be wrong to the queen? Yet, that
" I may give her ſatisfaction more abundantly, I
" will write larger letters of this buſineſs with
" mine own hand, though ſhe doth not vouchſafe
" to write back unto me, but by her ſecretary:
" but I pray you, my lord ambaſſador, do the part
" of an ambaſſador, that is, rather mollify, than
" exaſperate theſe matters."

But yet queen Elizabeth was not ſtisfied with theſe letters, being highly incenſed in uſing the arms and title of England; and ſtill ſhe was afraid, leſt ſhe ſhould challenge them again, if ſhe were not bound and tied thereto by the confirmation of the treaty and the religion of an oath.

In the mean while, the queen of Scotland, getting a good gale of wind, departed from Calais, and, in a foggy miſt, paſſing by the Engliſh ſhips, which ſome thought were ſent to ſea to convey her with honour; others, to ſuppreſs pirates; and others ſaid, to intercept and take her, arrived ſafe in Scotland: for James the Baſtard, very lately returning by England, had ſecretly perſuaded queen Elizabeth to take her by the way, if ſhe had a deſire to provide for religion, and her own ſecurity. And Lidington, being glad that d'Oyſell was detained in England, perſuaded it alſo.

She being returned into Scotland, uſed her

ſubjects

ſubjects with the utmoſt tenderneſs, changed not their religion (though it had been eſtabliſhed by tumults) and began to ſettle the commonwealth by enacting good laws. She ſoon after ſent Lidington to queen Elizabeth with her letters, and thoſe of the nobility of Scotland; in which ſhe promiſed to preſerve amity with her, and deſired that a certain form of peace might be made between England and Scotland; and that there was none more certain, than if queen Elizabeth, if ſhe ſhould have no iſſue, would declare her by the authority of parliament, inveſted with a right of ſucceeding to the crown.

This thing ſeemed ſtrange to queen Elizabeth, who expected the confirmation of the treaty of Edinburgh, promiſed by word, and by her handwriting, yet ſhe anſwered, "As concerning the "ſucceſſion, ſhe hoped the queen of Scotland "would not, by violence, take her crown away "from her and her children, if ſhe had any: ſhe "promiſed not to derogate any thing of her right "to the crown of England, although ſhe had "claimed the title and arms of England, through "the too much haſty ambition of other men, for "which injury it was meet that ſhe made ſatisfac-"tion. By ſetting down her ſucceſſor, ſhe feared "leſt their friendſhip ſhould be rather diſſevered "than conſolidated: the people, ſuch is their in-"conſtancy upon preſent things, do look after the "riſing ſun, and forſake the ſun-ſetting; and the "ſucceſſors deſigned cannot keep within the "bounds juſtice and truth, their own hopes, and "other mens lewd deſires. Moreover, if ſhe "ſhould confirm the ſucceſſion unto her, ſhe "ſhould thereby cut off the hope of her own ſe-"curity, and being alive, hang her winding-ſheet "before her own eyes, yea, make her own funer-"ral feaſt alive, and ſee the ſame."

After

After ſhe had anſwered in this manner, ſhe ſent again her letters by Peter Mewtas, entreating her in the mildeſt terms to confirm the treaty. Neither did the other directly deny it, but inſinuated, that ſhe could not do it, until ſhe had ſet the affairs of Scotland in good order.

In the year 1562, Margaret, counteſs of Lynnox, niece to Henry VIII, by his eldeſt ſiſter, was delivered as priſoner to Richard Sackvill, and her husband the earl of Lennox, was aſſigned to the maſter of the Rolls in the ſame manner, having had ſecret intelligence by letters, with the queen of Scots, in which cuſtody both of them were kept a conſiderable time.

Not long after, Henry Sidney was ſent to the queen of Scots, whoſe meſſage was, that the interview which ſhe deſired to have with queen Elizabeth, might be put off till the next year, or till the French war was over.

At this time it was debated, whether it was for any good purpoſe that theſe two princeſſes ſhould have an interview or conference: for, the queen of Scotland requiring it, cauſed a ſuſpicion, that ſhe did it with ſome intereſted views, either to ſtrengthen her right in England, to encourage the papiſts in England, and her couſins the Guiſes in France. On the other ſide, ſome thought hereby a moſt firm amity might be concluded between them, the league between the French and Scots weakened by little and little, and the queen of Scots gained over to the proteſtant religion.

Others obſerved, that out of ſuch interviews, or conferences, grew the ſeeds of emulation rather than of love, when one ſhould hate and repine at the oſtentation of the others wealth and power. Neither did the queen of Scotland think it ſafe to deliver herſelf into the hands of queen Elizabeth, with

with whom ſhe had contended for the right of ſucceſſion to the crown. Her ſcruples were greatly increaſed, when ſhe heard that queen Elizabeth ſtood openly for the proteſtants in France, whilſt ſhe conſidered (as ſhe wrote herſelf) that ſhe came by her father from the Engliſh blood, and by her mother from the French; that ſhe was crowned queen and dowager of France, and had a juſt title to ſucceed to the crown of England; that ſhe was much indebted to her uncles in France, who had brought her up; and that ſhe much deſired the love of queen Elizabeth.

Yet ſhe feared, ſuch was her piercing underſtanding, leſt, if ſhe made a ſtrict alliance with her, ſhe might incur the ill-will of the French king, be abandoned by her uncles, and loſe her dowry out of France, by preferring the uncertain friendſhip of queen Elizabeth; which, to uſe her own words, paſſed not beyond the perſon, before the certain love of the French. Hereupon the conference, which had been treated of many months, and the articles alſo drawn, came to nothing, eſpecially when ſhe, by her letters, utterly refuſed to come to the interview, except ſhe might be declared heir apparent of England by authority of parliament, or elſe be adopted by queen Elizabeth to be her daughter, to lay a fountion of a moſt certain peace and union of both kingdoms, ſo often deſired.

If theſe things were granted, ſhe promiſed to devote herſelf wholly to queen Elizabeth, and not to reſpect and regard her uncles the Guiſes. In theſe letters ſhe likewiſe inſinuated, that ſhe urged theſe things the more vehemently, becauſe ſhe had heard, that there were many ſecretly deviſed to bring in another ſucceſſor, and that only for the

cauſe

cauſe of religion, though ſhe tolerated in Scotland the religion of the proteſtants.

But, when the cardinal of Lorraine, at the ſame time, treated with the emperor Ferdinand, that ſhe might marry his ſon Charles the archduke, who then ſollicited queen Elizabeth in marriage, queen Elizabeth threatened her by Thomas Randolph, that if ſhe conſented to what was propoſed by the cardinal, the mortal enemy of England, about that marriage, both that the amity between England and Scotland would be diſſolved, and perhaps ſhe excluded from her hope of the ſucceſſion of England; and, if ſhe would not relinquiſh it, ſhe in a friendly manner adviſed her to chuſe a husband in England, in whoſe choice ſhe might pleaſe herſelf, and give ſatisfaction to her own ſubjects, and alſo to the Engliſh, in the preſervation of the peace, and make the way ſmoother and plainer to her aſſured ſucceſſion in England, which could not be publiſhed and made known until it was certainly known whom ſhe would take to her husband.

In the year 1563, when, in the heat of the civil wars of France, the duke of Guiſe, uncle to the queen of Scotland, was ſlain, her dowry out of France was not paid, Hamilton, duke of Chaſteauleroy, was deprived of his duchy, and the Scots were deprived of the captainſhip of the guard; which ſhe took very ill. The cardinal of Loraine, another of her uncles, fearing leſt hereupon ſhe leaving the French, might attach herſelf to England, propoſed again by Crocus, the marriage with Charles of Auſtria, offering her the county of Tyrole for her dowry. She acquainted queen Elizabeth with the matter, who by Randolph, gave her thoſe former admonitions about the chuſing of a husband; and then in plainer terms,

terms commended Robert Dudley, and promiſed, that if ſhe would marry him, ſhe ſhould be declared by the authority of parliament, ſiſter, or daughter, and heir-apparent of England, if ſhe died without iſſue. As ſoon as the queen-mother and her uncles heard this by Foixius the French embaſſador in England, they ſo diſdained the marriage with Dudley, as altogether unequal and unworthy to match with a royal family, that they promiſed not only to pay her dowry, but alſo to reſtore to the Scots all their former privileges, if ſhe would perſiſt firmly in the friendſhip of France, and refuſe the marriage propoſed to her; moreover, they ſuggeſted that queen Elizabeth propoſed this marriage not ſeriouſly, but as a blind, though ſhe had intended Dudley for her own huſband; and that there was no cauſe why ſhe ſhould put any truſt or confidence in the authority of a parliament, ſince that in England one parliament may repeal that which another hath enacted. Moreover, that the purpoſes of the Engliſh were no other, but by one means or other, to keep her always from marriage.

However, ſhe referred this matter to a conference, being greatly perplexed and troubled at home, when Murray caſt into priſon the archbiſhop of St. Andrews for ſaying maſs. And the hot-ſpirited miniſters of the church, protected by the authority of Murray, offered violence to a prieſt who had ſaid maſs in the court, which was permitted by the law. Neither was ſhe able to repreſs the ſeditious, though ſhe applied all her mind to the good of the commonwealth, by granting a general pardon, increaſing the fees or wages of the judges, by making wholſome laws, as making adultery puniſhable by death, and fitting her-

ſelf in judgment, in order to make by law the higheſt equal with the loweſt.

In the year 1564, queen Elizabeth created Robert Dudley, maſter of her horſe, a man in high favour with her, whom ſhe intended to match with the queen of Scotland, baron of Denbigh, giving him Denbigh, with the demeſnes, and the next day earl of Leiceſter, to him and his heirs-male lawfully begotten: for whoſe ſake alſo ſhe had before created his elder brother Ambroſe baron Liſle, and earl of Warwick, and to his heirs male lawfully begotten; and to Robert, his brother, and to the heirs male of his body lawfully begotten.

Dudley, advanced to theſe honours, to gain favour with the queen of Scoland, to whom he paid his addreſſes, he made his utmoſt endeavour to deſerve well of her, and forthwith accuſed Bacon, keeper of the great ſeal, to the queen, for having oppoſed the queen of Scotland's ſucceſſion, and been privy and acceſſary to a pamphlet wrote by one Hales, who attempted to prove the right of the crown of England to belong to the family of Suffolk, if the queen died without iſſue, for which he had been put in priſon: but Bacon, though he denied what he was charged with, was, with much ado, and after a long time, reſtored to the queen's favour by Cecil, who kept his own opinion in this point ſecret to himſelf, and always determined to do ſo, unleſs the queen commanded him to ſpeak his mind; for ſhe could not endure, of all things, to have the right of ſucceſſion called into queſtion and diſpute; but the wiſer and the richer men were troubled with nothing more, whilſt, in the debates of religion, the jealous proteſtants thought the queen of Scotland was to be put by and rejected,

jected, becauſe ſhe was of another religion, tho' her right was undoubted.

Some of the Romaniſts, and moſt that regarded equity and juſtice, thought ſhe was to be received, as the true and certain heir by the law. And many preferred Margaret, aunt to the queen of Scotland, the wife of Matthew Stewart, earl of Lennox, and her children, as thoſe of whom they hoped the beſt, as born in England.

Theſe things were not unknown to the queen of Scotland, who, to prevent it as much as ſhe could, by the advice of the counteſs of Lenox her aunt, ſent for Matthew earl of Lenox, to come into Scotland, under pretence to reſtore him to his ancient patrimony; but indeed to aſk him counſel in theſe affairs, who by his wife's means obtained leave, and alſo letters of recommendation from queen Elizabeth, after he had been baniſhed from his native country now full twenty years.

He was born of the ſame ſtock of the Stewarts, as the royal family of the Scots was: for Mary, daughter to James II. king of Scotland, bore to James Hamilton, James I. of this ſtock, earl of Arran, and Mary his daughter, wife to Matthew Stewart, earl of Lennox, the firſt of this Chriſtian name. James, earl of Arran, his firſt wife, being divorced, and yet living, married Jenet Beton, aunt to cardinal Beton, by whom he had James, duke of Chaſteauleroy, whom his adverſaries hereupon accounted a baſtard. Mary, ſiſter to the earl of Arran, bore to Matthew, John, earl of Lennox, who, being ſlain by the Hamiltons, when he attempted to reſtore James IV. to his liberty, left this ſecond Matthew Stewart (of whom we ſpeak) earl of Lennox, very dear to James I, on his father's account.

But Matthew, (the king being dead, and the Hamiltons having all the government in their power) departed ſecretly into France, from whence he was ſent by Henry II, the French king, to ſee that the commonwealth of Scotland ſuffered no harm by Hamilton the regent; and herein he acted worthily; but being a plain and honeſt-minded man, (and entangled by the craft and policy of cardinal Beton, and Hamilton) he loſt the favour of the French king in a ſhort time; and, when he could neither continue at home, nor return into France, he came into England, and ſubmitted himſelf to Henry VIII, who accepted him as a man well-beloved in the weſt borders, and acknowledged him as next heir to the crown of Scotland, after Mary then an infant, (though the Hamiltons confiſcated all his poſſeſſions, as thoſe of a traitor condemned) and married him to the lady Mary Douglas his niece, by his eldeſt ſiſter, giving him lands in England, worth yearly of the old rent ſeventeen hundred marks, he promiſing, for his part, to deliver into the hands of the king of England, the caſtles of Dunbritton, the iſle of Butha, and the caſtle of Rothſay; which places, though courageouſly and valiantly attempted, could not yet be taken poſſeſſion of.

The queen of Scotland ſent for this man, and reſtored him to his ancient poſſeſſions, as well that ſhe might oppoſe him againſt the attempts of James the Baſtard, as alſo, to put others out of hopes of the ſucceſſion of England, by his ſon Henry Darnly: for, if that young man, born of the royal blood in England, and well-beloved of the Engliſh nation, ſhould marry with ſome of the great families of England, ſhe feared, that he, ſupported with the power of England, might be an obſtacle in her way, in the right of her

her ſucceſſion in England, ſince he was accounted, in moſt mens opinion, the ſecond heir of the crown of England after her; and, there was nothing ſhe more wiſhed, than that the realms of England and Scotland might devolve by her means to ſome of the race of Scotland, and by him might be propagated to poſterity, in the ancient ſirname of the Stewarts.

This came to the knowledge of queen Elizabeth; and, to prevent her deſign, ſhe declared to her by Randolph, that that marriage was ſo univerſally diſapproved by the Engliſh, that ſhe adjourned the parliament againſt the will of her council till another time, leſt the States, incenſed thereby, ſhould make ſome act againſt her right in ſucceſſion; to prevent which, ſhe intreated her not to do ſo, but to give ſatisfaction to the Engliſh, by thinking upon ſome other match. And now, ſhe again recommended Leiceſter (whom ſhe had advanced to the degree of an earl upon that account) with more earneſtneſs than before.

Upon this occaſion, in the month of November, a conference was held at Berwick upon the marriage with Leiceſter by the earl of Bedford and Randolph, and for her, were Murray and Lidington commiſſioners. The Engliſh promiſed firm amity, perpetual peace, and certain hope of the ſucceſſion, if ſhe would marry with Leiceſter; for, upon this condition, queen Elizabeth had promiſed to declare her daughter adoptive, or ſiſter by authority of parliament.

The Scots ſtood hard to it, that it was not for the dignity of a queen, ſollicited in marriage by Charles, the ſon of the emperor Ferdinand, the king of France, the prince of Condé, and the duke of Ferrara, to deſcend ſo low as to marry a new-made earl, and a ſubject of England, upon a

hope only, and no dowry being offered; adding, that it was neither honourable to the queen of England, to recommend ſo mean a husband to ſo great a princeſs, her next kinſwoman; but, that it would be a certain proof of love, if ſhe would permit her at her own choice, to elect herſelf a husband, who ſhould keep peace with England, and, at the ſame time, aſſign her a good annuity, and confirm the right of ſucceſſion by the authority of parliament.

In all this buſineſs, queen Elizabeth earneſtly deſired, that the ſucceſſion of both the kingdoms might be eſtabliſhed in the Engliſh nation, tho' ſhe was ſlow in her proceedings upon that occaſion.

The queen of Scotland, when the matter had been a ſubject of debate for the ſpace of two years, now determined to take Darnly for her husband, ſuſpecting that queen Elizabeth did not deal ſincerely with her; but, that ſhe propoſed this marriage for no other end, but that ſhe might make the firſt choice of the beſt ſuitor for herſelf, or elſe might the better palliate her own marriage with Leiceſter.

But the Scotch delegates, having their private views, determined by one way or other to lay ſome obſtacle in the way of any marriage, that they might ſtill retain their authority with the queen. Queen Elizabeth had required the commiſſioners to hinder the marriage with Darnly; and Leiceſter himſelf, thinking he was ſecure of queen Elizabeth, intreated Bedford ſecretly by his letters, not to urge the matter much. And upon this hope it is thought he favoured Darnly with the knowledge of the ſecret.

In the mean time, Darnly got leave, with much difficulty, to go into Scotland, and to ſtay there three months, by the earneſt and humble ſuit his mother made to queen Elizabeth, under colour, that he might be preſent at the reſtoring of his father; and ſo he went to Edinburgh, in the month of February, 1564. He was a young man, of a fine perſon, of a mild diſpoſition, and engaging behaviour.

As ſoon as the queen of Scotland ſaw him, ſhe fell in love with him, and, to conceal her love, ſhe talked now and then to Randolph, the Engliſh ambaſſador in Scotland, about the marriage with Leiceſter, and at the ſame time ſent to Rome for a diſpenſation, becauſe Darnly and ſhe were ſo near of kin that a diſpenſation was neceſſary by the canon laws. But when theſe things came to light, ſhe ſent Lidington to queen Elizabeth, to deſire her conſent to marry Darnly, that ſhe might not be kept any longer unmarried upon vain expectations.

Queen Elizabeth propoſed the matter to her privy-council, who, by the ſecret ſuggeſtions of Murray, eaſily believed, that the purpoſe of the queen of Scotland, tended, by this marriage, to ſtrengthen, and again to claim, the title and her right to the realm of England, and to eſtabliſh the Roman religion again; and, that many would adhere to them, upon the certainty of their ſucceſſion coming of this marriage, and others through their attachment to the Roman religion, and as they knew that moſt of the juſtices of peace were addicted to it.

To prevent theſe things, they thought it highly neceſſary, firſt to prevail upon the queen to marry ſpeedily ſome huſband, that, on the certainty of ſucceſſion by her and her iſſue, the affairs and hopes

of Engliſhmen might depend, for they feared that, if the queen of Scotland married firſt, and had iſſue, moſt of the people would incline to her ſide, becauſe of the certainty of the ſucceſſion. Secondly, that the profeſſion of the Roman religion ſhould be weakened, as much as might be, and that of the reformed diligently advanced and eſtabliſhed: this, by dealing more moderately with ſome hot-ſpirited proteſtants about things indifferent; and the other, by making the deprived biſhops return to their priſons (for they had been diſperſed into the country in the time of the great plague) by giving the biſhops more ample authority to exerciſe the eccleſiaſtical laws, by ſuppreſſing books coming from the Low-Countries into England, wrote by Harding, and the divines who at that time were fled over the ſeas, by removing certain Scottiſh prieſts that lurked in England; by depriving the Engliſh fugitives of their eccleſiaſtical livings, which they enjoyed till this time; by compelling the judges of the land, who, for the moſt part, were papiſts, to take the oath of ſupremacy. But, to diſturb the marriage with Darnly, it was thought beſt to put them in fear, by muſtering ſoldiers upon the borders toward Scotland, and by putting a garriſon into Berwick: that the counteſs of Lenox, mother to Darnly, and Charles her ſon, ſhould be committed to priſon: the earl of Lenox, and Darnly, his ſon, ſhould be recalled out of Scotland, upon pain of forfeiting all their goods, before any league could be made by them with the kings of France or Spain: that the Scots enemies to the marriage ſhould be countenanced, and Catharine Gray, with the earl of Hertford, ſhould be received into ſome favour, of whom, as of her competitor in the ſucceſſion of the kingdom, ſhe ſeemed ſomewhat afraid

afraid. This was all they could deviſe to hinder the marriage.

Hereupon Nicholas Throgmorton was ſent to the queen of Scotland, to adviſe her to deliberate long on what was to be done but once; to remind her that repentance always followed haſty marriages, and to recommend earneſtly the marriage with Leiceſter, and that the marriage with her aunt's ſon was contrary to the canon law; for queen Elizabeth very much deſired, that by her ſome of the Engliſh notion might ſucceed in both kingdoms; though there were ſome that thought it would be the beſt for religion, and both realms, if ſhe died without iſſue.

She anſwered the matter could not be recalled, and that queen Elizabeth had no cauſe to be angry, when, according to her counſel, ſhe had choſen not a ſtranger, but an Engliſhman, and one born of the royal blood of both kingdoms.

Lidington reſiding in England, often propoſed the marriage of the queen of Scotland to Leiceſter, and alſo to the duke of Norfolk, as to one worthy of a princeſs's marriage; but he modeſtly declined it.

The queen of England, to interpoſe ſome impediment to this haſtened marriage, called back Lenox and Darnly, as her ſubjects, according to the times expreſſed in their licece. The father excuſed himſelf modeſtly in his letters: the ſon deſired that ſhe would not be againſt his preferment, and inſinuated, that it might be for the advantage of his dear country England; and openly profeſſed himſelf a lover and admirer of the queen of Scotland, above all others; who, to requite his love, firſt made him knight, and afterwards lord Ardmanoch, earl of Roſs, and duke of Rothſay, and, the firſt month after his coming into Scotland,

land, choſe him for her huſband, with the conſent of moſt of the noblemen, and proclaimed him king.

Murray, who had nothing in view but to gratify his own ambition, and under the ſpecious pretence of religion, had drawn in the duke of Chaſteaule-roy, an honeſt man, to embrace his party, murmured; and others raiſed tumults, and argued theſe queſtions:

Whether a papiſt was to be received to be their king?

Whether the queen of Scotland might chuſe herſelf a huſband at her own directions?

Whether the noblemen of the land, might not, by their authority, appoint her a huſband?

The queen of England, who knew the mild diſpoſition of Darnly, and the plain and honeſt mind of the father, taking compaſſion of the young man her couſin, and of the queen, a young woman, who had to deal with turbulent perſons that, having been above twenty years free from the government of kings, could not now endure any maſter, took it more quietly.

Neither had ſhe any apprehenſion, when ſhe ſaw the power of the queen her adverſary not increaſed by that mean match, and had the mother of Darnly in her power; foreſeeing that troubles would ariſe hereupon in Scotland, which began ſoon after: for many noblemen of Scotland, as Hamilton and Murray, were diſpleaſed with the marriage; the one, becauſe the marriage was made without the conſent of the queen of England; the other, upon a ſpight againſt the family of Lenox; but both of them under the pretext of the preſervation of religion, diſplayed their banners in a hoſtile manner, to diſturb the marriage; ſo that the queen was forced to levy forces, that the mar-

riage

riage might be celebrated with ſecurity; and then ſhe ſo fiercely purſued the rebels, with the help of the king her huſband, that ſhe made them fly into England, before the bands of Engliſhmen promiſed to them could come: but the queen of England covertly granted a place of refuge to Murray, who was wholly devoted to the Engliſh, and ſecretly maintained him with money by Bedford till he returned into Scotland, which was the day after the murder of David Rizzo.

The cauſes which queen Elizabeth aſſigned, why ſhe admitted Murray, and the Scottiſh rebels, into England, were, that the queen of Scotland had received Yaxley, Standen, and Welſh, Engliſh fugitives, into Scotland; and received O'Neale, a great man of Ireland, into her protection; had intelligence with the pope againſt England; and had not done juſtice on the thieves on the borders, or on pirates.

Queen Elizabeth, not forgetful of the Scottiſh affairs, a month or two after the marriage, ſent Tamworth, a gentleman of her privy chamber, to the queen of Scotland, to warn her not to violate the peace, and to expoſtulate with her, for her haſty marriage with the native ſubject of England, without her conſent, and to requeſt that Lenox and Darnly might be ſent back to England, according to the league; and, that Murray might be again received into favour.

She, ſuſpecting his errand, admitted him not to her preſence, but, in articles delivered in writing, promiſed, on the word of a prince, that neither ſhe nor her huſband would attempt any thing to wrong the queen of England, or her children lawfully begotten, or the quiet of the realm, either by receiving fugitives, or by making league with ſtrangers, or by any other means; yea, moſt willingly,

lingly, that they would make ſuch league with the queen and realm of England, which might be profitable and honourable for both the realms; neither that they would innovate any thing in the religion, laws, and liberties of England, if at any time they ſhould poſſeſs the kingdom of England: yet upon this condition, that queen Elizabeth would fully perform this thing on her part toward her and her huſband: viz. by parliament eſtabliſh the ſucceſſion of the crown of England in her perſon and her lawful iſſue; and, if that failed, in Margaret counteſs of Lenox, her huſband's mother, and her children lawfully begotten. As for the other things, ſhe anſwered, That ſhe had acquainted the queen of her marriage with Darnly as ſoon as ſhe was fully determined to marry him, and had received no anſwer from her: That ſhe had ſatisfied the queen's demands, foraſmuch as ſhe had not married a ſtranger, but an Engliſhman born, who was the nobleſt in birth, and worthieſt of her, in all Britain, that ſhe knew: but it ſeemed ſtrange that ſhe might not keep with her Darnly, whom ſhe had married, or not keep Lenox in Scotland, who was a native earl of Scotland. As for Murray, whom ſhe knew to be her mortal enemy, ſhe, in fair words, beſought her to leave her ſubjects to her own diſcretion, ſince that ſhe did not intermeddle in the cauſes of the ſubjects of England.

With this anſwer Tamworth returned, not reſpected, as he thought, according to his rank and place, but, to ſay the truth, had inſolently attacked the reputation and credit of the queen of Scotland with ſlander, and had not vouchſafed to give her huſband the title of king.

In June, 1566, the queen of Scotland was delivered of her ſon James, who was afterwards king

of

of England, which ſhe ſignified directly to queen Elizabeth by James Meluin. Elizabeth, though ſhe was grieved at the heart, that the honour of being a mother was borne away before her by her adverſary, yet ſhe ſent Henry Killigrew to congratulate her on her ſafe delivery, and the birth of a ſon; and to requeſt her not to favour any more Shane O'Neale. then rebelling in Ireland, nor to entertain Chriſtopher Rokeby, who had fled from England, and to puniſh certain thieves upon the borders.

Shortly after, the eſtates of the realm in the parliament held at London, moved the queen earneſtly to marry, and to ſet down and nominate her ſucceſſor; but ſhe by no means could be prevailed on to do it. Yet, that it might appear to the world, whom ſhe thought lawful ſucceſſor, ſhe caſt into priſon Thornton, the reader of the law at Lincoln's-inn, in London, at that time, of whom the queen of Scotland had complained, that he, in his reading, had called in queſtion, and made a doubt of the right of her ſucceſſion.

The time being come for the baptizing of the prince of Scotland, the queen of England being requeſted to be god-mother, ſent the earl of Bedford with a font of maſſy gold for a gift, and commanded, expreſly, that neither he, nor any Engliſhmen that accompanied him, ſhould vouchſafe to call Darnly by the name of king.

That ceremony being finiſhed, the earl of Bedford treated with the queen of Scotland about other things contained in his commiſſion: that is to ſay, that the domeſtic contentions between her and her huſband might be accommodated, (for ſome malicious, ſworn enemies to them both, had, by underhand practices, occaſioned a miſunderſtanding between them) and the treaty of Edinburgh

burgh ratified. This laſt ſhe poſitively refuſed, alledging, that in the treaty there were many articles that might derogate from her own and her children's right to the crown of England. Yet ſhe promiſed to ſend commiſſioners into England, who ſhould debate concerning the confirmation thereof, changing ſome words; namely, that ſhe ſhould forbear to uſe the title and arms of England whilſt queen Elizabeth lived, and her children; as though it were meant in the treaty, that ſhe ſhould forbear to uſe them for ever: and alſo ſhould declare to her, how injuriouſly ſhe was treated by their villainous devices, that abuſed the ſimplicity and credulity of her huſband, in a manner not to be endured: and how ſhe, being ſickly and weak, in her letters commended her young ſon to the protection of queen Elizabeth. In which letters, "though ſhe knew," theſe are her own words, "that ſhe is the undoubted rightful heir of England, after queen Elizabeth, and that many deviſe ſundry things againſt that right," ſhe promiſed that ſhe would not urge any more any declaration of her right, but that ſhe will help, aſſiſt, and adhere to her always with all her power, againſt all perſons.

But, before thoſe commiſſioners came from the queen of Scotland, and a month or two after the prince was chriſtened, the king her huſband, in the one and twentieth year of his age, in the dead time of the night, was ſtrangled in his bed, and caſt into a garden, and the houſe blown up with gunpowder.

A rumour was ſpread immediately over all Britain, and the fault was laid upon Morton, Murray, and their confederates: and they inſulting the weakneſs of her ſex, charged the queen herſelf with it.

What

What Buchannan has written upon this ſubject, as well in his Hiſtory, as in a pamphlet called The Detection, is univerſally known by theſe printed books. But ſince he, biaſſed by partiality, and gained by the gifts of Murray, wrote in that manner, thoſe books were condemned as falſe by the ſtates of the realm of Scotland, to whom more credit is to be given: and he afterwards repented that he had written ſo bitterly againſt the queen; wiſhing, at his death, that he might have lived long enough to wipe out, with a recantation, or with his blood, the ſpots and ſtains with which he had aſperſed her character. But that, as he ſaid, would be to no purpoſe, ſince he would appear to doat for old age.

We ſhall therefore endeavour, in few words, to lay open the matter as fully as it has come to our knowledge, as well from the writings of other men, which were publiſhed at that time, but ſuppreſſed in favour of Murray, and through hatred to the queen, captive in England, as alſo from the letters of ambaſſadors, and of men of credit.

In the year of our Lord 1558, at the marriage of Francis the dauphin, and of Mary queen of Scotland, James, the queen's baſtard-brother, commonly called the prior of St. Andrew's, diſdaining that religious appellation, ſued for a more honourable title; which, when ſhe by the advice of the Guiſes her uncles would not grant, he returned into Scotland much offended, and began to raiſe diſturbances under the pretence of the reformation of religion, and ſecuring the liberty of Scotland; and effected it ſo far, that religion was changed into an aſſembly of the confederates, without the queen's knowledge; and the Frenchmen were removed out of Scotland by the help of the Engliſh men they had brought in.

Francis,

Francis, the king of France, being dead, he poſted into France to his ſiſter, and entirely diſclaiming whatſoever had been done in Scotland againſt her profit or credit, ſolemnly promiſed to do her all the kind offices which a ſiſter could expect at the hands of a brother: and, conceiving hopes that ſhe being bred up, from her tender years, in the delights of France, would not return to Scotland, dealt with the Guiſes, that ſome one of the Scottiſh nobility might be named regent of Scotland; and inſinuated, that he himſelf was the fitteſt man. But, when he was ſent back into Scotland, with no other authority but only with letters patents, wherein the queen gave authority to aſſemble the nobility, and to adviſe and confer about the good of the commonwealth.

He, being dejected and diſappointed in his hopes, in his return through England, in a rage and fury, put into their heads, that, if they deſired, or had a care of the preſervation of religion in Scotland, the tranquility of England, and ſecurity of queen Elizabeth, they ſhould hinder the return of the queen of Scotland into Scotland, by ſome means or other. Yet ſhe arrived ſafe in Scotland, paſſing by the Engliſh fleet in a thick miſt, and uſing her brother with all kindneſs, gave the government of all affairs into his hands.

Yet this did not lop the branches of his ambition, which daily ſprouted out, both in words and deeds: for he could not contain himſelf from lamenting amongſt his friends, that the warlike Scottiſh nation, not inferior in military glory to the Engliſh, was ſubjected to the government of a woman; and out of the doctrine of Knox, whom he looked upon as a patriarch, he often aſſerted, that kingdoms were due to virtue, not kindred: that women were to be excluded from the ſucceſ-

ſion

ſion of kingdoms; and, that their government was monſtrous. He alſo ſollicited the queen, by his friends, to ſubſtitute ſome, out of the family of the Stewarts, who, if ſhe died without iſſue, ſhould ſucceed, one after another, in the kingdom; and not to have any regard whether they were legitimate or illegitimate, hoping that he ſhould be one of them, being a king's ſon, although illegitimate.

But the queen, taking it into ſerious conſideration, that ſuch a ſubſtitution was contrary to the laws of the land, and would be an injury to the right heirs, a moſt pernicious example, dangerous even to the ſubſtitutes themſelves, and an impediment to her marrying again, ſhe anſwered mildly, that ſhe would maturely deliberate upon what was propoſed, and conſult with the ſtates of the realm about it: and, to ſhew herſelf kind and bountiful to her brother, ſhe created him earl of Marr, and afterward earl of Murray, becauſe Marr was in controverſy, and procured him an honourable marriage. All this ſhe did, being all this while ignorant, that he aſpired at the crown, boaſting that he was the lawful ſon of James V. and, to make his way to the throne, he, through the favour wherein he ſtood with the queen, oppreſſed the moſt noble family of the Gordons, who had very many vaſſals, tenants and retainers, whom he feared much, both in reſpect of himſelf and of their religion; and baniſhed from court the duke of Chaſteauleroy, who was conſidered as the next heir to the crown; impriſoned the earl of Arran, his ſon, baniſhed Bothwell into England, and put all them that he thought might croſs him, out of office: and, as a guardian, kept the queen as his ward, and at his command, being particularly careful to keep her from marriage.

As ſoon as he underſtood, that the emperor ſued to her for his brother, and the king of Spain for his ſon, he diſſuaded her utterly from them both; becauſe the liberty of Scotland would not, nor could not, endure a foreign prince: and, whenever that government deſcended to women, that they married no other husbands but of the Scottiſh nation: but afterwards, when all the Scots generally wiſhed to ſee her married, and he found out that the counteſs of Lennox had ſo artfully conducted matters that ſhe inclined to marry Darnly; he alſo commended him as a good husband for her, hoping the young man, being of a flexible diſpoſition, would be ruled by him in all things. Yet, when he ſaw that the queen loved Darnly exceedingly, and he himſelf was beginning to grow out of her favour, he repented of the counſel he had given, and importuned queen Elizabeth to hinder her marriage by ſome means or other.

The marriage being concluded, and Darnly proclaimed king, when the queen revoked the donations made to him and others againſt the laws in her minority; he, with others, put himſelf in arms againſt the king, alledging, that the new king was an enemy to the religion of the proteſtants, and that he was married without the conſent of the queen of England. But he fled into England, as has been ſaid, never adventuring to fight; and, being deſtitute of all aid from thence, he dealt by letters with Mourton, a profound ſubtle man, who was as his other ſelf, that, ſince the marriage could not be diſſolved, recourſe ſhould be had to ſecret devices to alienate the king and queen from each other: and a fit occaſion offered itſelf; for ſhe, upon the ariſing of ſome private diſcontent, to check the pride of the young man, and to preſerve her royal authority whole to herſelf, had begun

gun to ſet her husband's name laſt in the proclamations and records, and to omit it utterly in the coin.

Mourton being a ſkilful man to breed diſcontents, with his flatteries crept into the king's good liking and opinion, and then perſuaded him to take upon him the crown of the realm, in deſpight of the queen, and to make himſelf free from the government of women; for that it is the condition of women, ſaid he, to obey, and of men to rule.

By this counſel, if it were taken, he hoped not only to draw away the love of the queen, but of all the nobility and commons alſo from the king, to eſtrange the queen from her huſband and crafty men; and with various ſlanders he firſt incited the king to murder David Rizzo, leſt that a native of Piedmont ſhould prevent their purpoſes.

This Rizzo was a muſician, and came the laſt year with Moret, the embaſſador of Savoy; and was, for his wit and addreſs, received into her houſhold and favour, and preferred to write her French letters, and to aſſiſt in her privy-council in the abſence of her ſecretary.

Then, to eſtrange her love the more, he perſuaded the king to be preſent at the murder, with Ruthen and the reſt, who, ruſhing together with him into the queen's dining parlour, at ſupper time (ſhe ſitting at the table with the counteſs of Argyle) attacked Rizzo with their naked ſwords as he taſted meat taken from the queen's table at the cupboard, as the ſervants of the privy chamber uſed to do, and the queen being big with child, and trembling for fear, they held a piſtol to her breaſt, and dragging Rizzo into another chamber, they inhumanly murdered him, and ſhut up the queen in a parlour, Mourton all this time guarding all the paſſages.

This murder was committed the evening before the day appointed for Murray to appear for his trial in the aſſembly of the eſtates for his rebellion, who came in on the next day, when nobody expected him; and no man appeared againſt him in that troubleſome time: ſo that it may be thought that the murder of David was haſtened on purpoſe to procure the ſecurity of Murray. Yet the queen, at the earneſt ſuit of the king, received him kindly, and continued in brotherly love towards him. But the king, when he conſidered the enormity of the offence, repented his raſhneſs, and in an humble manner ſubmitted himſelf to her clemency, weeping and aſking pardon, and ingenuouſly confeſſed that he committed that heinous offence by the inſtigation of Murray and Mourton; and from thenceforth ſo hated Murray (for Mourton, Ruthen, and others, were fled into England upon the murder, with the commendatory letter of Murray to Bedford) that he formed a deſign to kill him; but, when out of anger and raſhneſs, he could not conceal his purpoſe, nor, ſuch was his reſpect to the queen his wife, durſt not execute it. He told her how profitable it would be for the commonwealth, and alſo for the ſecurity of the royal family, if Murray were out of the way.

She deteſting the thing, terrified him even with threats, from ſuch enterprizes, giving him hopes of reconciliation. Yet he, when he ſaw, to his great grief, that the baſtard had ſuch influence with the queen; ſuch was his impatience, that he plotted the ſame matter with others; which, when it came to the ears of Murray, to prevent him, under colour of duty, he laid cloſer ſnares for the young man; uſing Mourton, though abſent as his counſellor.

They

They thought it requiſite, above all things, entirely to alienate the queen's mind from the king; and by flattery to prevail upon Both well, lately reconciled to Murray, and in great favour with the queen, to join their party; giving him hopes to be divorced from his wife, and to marry the queen as ſoon as ſhe was a widow: and, for the performance of theſe things, and alſo to defend him againſt all perſons, they bound themſelves under their hands and ſeals; being perſuaded, if the matter hit right, that they might at once kill the king, entirely diſcredit the queen amongſt the nobility and commons, undo Bothwell utterly, and bring the government of all affairs into their own hands.

Bothwell being a vicious man, blinded with ambition, and therefore ready to attempt any thing, quickly laid hold on the hope offered him, and villainouſly committed the murder: but Murray had ſecretly gone home a pretty way off, fifteen hours before, that he might not be ſuſpected; and, that he might from thence aſſiſt the conſpirators, when there was occaſion, and all the ſuſpicion might light upon the queen.

As ſoon as he returned to the court, both he and the conſpirators recommended Bothwell to the queen as very worthy of her love, for the nobility of his family, his valour ſhewed again the Engliſh, and his approved fidelity.

They intimated to her, that ſhe, being ſingle, was not able to repreſs the tumults that were raiſed, prevent ſecret plots, and ſupport the burden and heavy weight of the kingdom; therefore ſhe would do well to take as a companion of her bed, counſel and danger, the man that could, would, and durſt oppoſe himſelf againſt all trouble. And they ſo far prevailed with her, that the fearful woman, daunted with two tragical mur-

ders, remembering the fidelity and conſtancy of Bothwell towards her and her mother, and having no other friend to reſort to, gave her conſent; but upon theſe conditions, that above all this, proviſion might be made for the ſafety of her little ſon; and then, that Bothwell might be both acquitted from the murder of the king, and freed from the bond of his former marriage.

What George, earl of Huntley, and the earl of Argyle, men of great nobility in Scotland, proteſted of this matter, we ſhall ſet down in this place, out of the original, with their own hands, ſent to queen Elizabeth.

"Foraſmuch as Murray, and others, to cloak "their rebellion againſt the queen, whoſe autho-"rity they uſurp, do ſlander her openly, as privy "and conſenting unto her husband's death; we "do publicly proteſt and ſwear theſe things: In "the month of December, in the year of our "Lord one thouſand five hundred fifty and ſix, "when the queen lay at Cragmyller, Murray and "Lidington did acknowledge before us, that "Mourton, Lyndſey, and Ruthen killed Rizzo, "for no other end, but to procure the ſafety of "Murray, who was to be attainted at the ſame "time. Therefore, leſt they ſhould be unthank-"ful, they wiſhed that Mourton, and the reſt, "baniſhed for the death of David, might be "brought home again; and this they inſinuated "could not be done, except the queen were ſe-"parated by a divorce from the king, which they "promiſed to effect, if we would grant our con-"ſent. And afterwards Murray promiſed unto "me, George earl of Huntley, the reſtitution of "my ancient patrimony, and perpetual favour "of the baniſhed men, if I would favour the di-"vorce. Then they went unto Bothwell, that he-

"ſhould

"ſhould conſent thereunto. Laſtly, we came un-
"to the queen, and Lidington, in all our names,
"beſought her exceedingly to remit the ſentence
"of exile againſt Mourton, Lyndſey, and Ruthen.
"He exaggerated the faults and crimes of the
"king with bitter words; and ſhewed, that it was
"much for the good and benefit of the queen and
"the commonwealth, that a divorce were ſpeedily
"ſued out: foraſmuch, as the king and ſhe could
"not live together with ſecurity in Scotland.
"She anſwered, ſhe had rather depart into France,
"and live privately for a time, until her huſ-
"band acknowledged his faults: for ſhe would
"have nothing to be done that ſhould be wrong
"to her ſon, or diſhonour unto herſelf.

"Hereunto Lidington replied, ſaying, We that
"are of your council will provide for that; but
"I command you, ſaid ſhe, not to do any thing
"which may be a blemiſh to my honour, or a
"ſtain to my conſcience. Let things be as they
"be, until God above do remedy it: that which
"you think may be good for me may prove
"evil. Unto whom Lidington ſaid, Commit the
"matter unto us, and you ſhall ſee nothing done
"but that which is good, and that which ſhall be
"allowed in the parliament. Hereupon, ſince
"that, within a few days after, the king was moſt
"ſhamefully murdered; we, out of the inward
"teſtimony of our conſcience, are moſt aſſured,
"that Murray and Lidington were the authors,
"and perſuaders of this murder of the king, who-
"ſoever were the actors of the ſame."

Now the conſpirators uſed all their ſkill to bring it about, that Bothwell might be cleared of killing the king; therefore, without delay, the parliament was ſummoned for no other cauſe, and

proclamations were iſſued out to apprehend the perſons ſuſpected of murdering the king. And, when Lennox, father to the murder'd king, accuſed and charged Bothwell as the regicide, and was very importunate that Bothwell might be brought to trial before the parliament began: this alſo was was granted, and Lenox commanded to bring in his accuſation within twenty days. On which day, when he heard nothing from the queen of England, and could not be preſent in the city full of his enemies, without danger of his life; Bothwell was brought to the bar, and arraigned, and acquitted by the ſentence of the judges, Mourton alſo maintaining his cauſe, and openly taking his part.

This buſineſs being finiſhed, the conſpirators contrived it ſo, that moſt of the nobility gave their conſent to the marriage under their hands and ſeals, leſt he, fruſtrated of the promiſed marriage, ſhould impeach them as contrivers of the murder. But, by this marriage of the queen with Bothwell, who was created duke of the Orkneys, the ſuſpicion increaſed with all men, that the queen conſented to the king's death; which the conſpirators increaſed by letters ſent to all places, and in their ſecret meetings at Dunkelden, they conſpired to kill Bothwell, and deprive the queen; yet Murray, that he might be thought clear of this conſpiracy, obtained leave of the queen with difficulty, to travel into France; and, that he might put all diffidence out of her head, he commended all his affairs and eſtate in Scotland, to the protection of the queen and Bothwell.

He was ſcarcely gone out of England, but, behold! the ſame men who had acquitted Bothwell of the murder, and conſented to the marriage

riage under their hands and ſeals; took up arms againſt Bothwell, as meaning to apprehend him; and, indeed, they ſecretly deſired him to ſave himſelf by flight, for no other intent but that he ſhould not be taken, and diſcover all their plot, that they might avail themſelves of his flight, to accuſe the queen of killing the king: but ſhe being taken, they uſed her in the moſt diſreſpectful and indecent manner; and, putting her on an old cloak, thruſt her into priſon at Lochlevyn, under the cuſtody of the mother of Murray, who had been miſtreſs to James V, who inhumanly inſulted over the calamity of the impriſoned queen, boaſting, that ſhe herſelf was the lawful wife of James V; and that her ſon Murray was his lawful iſſue.

As ſoon as queen Elizabeth underſtood theſe things, deteſting this barbarous inſolence of ſubjects, againſt a princeſs her ſiſter and neighbour. She ſent Nicholas Throgmorton into Scotland, to expoſtulate with the conſpirators for this inſolence uſed againſt their queen, and to take ſome meaſures to reſtore her to her former liberty, and for the ſevere puniſhment of the murderers of the king; and that the young king might be ſent into England, that order might be taken for his ſecurity, and not ſent into France.

He found moſt people in Scotland incenſed againſt the queen, who, in plain terms, denied acceſs to her, both to him, and to Villeroy and Crocus the French embaſſadors: yet could not the conſpirators agree among themſelves what to do with her; Lidington, and a few others, would have her reſtored upon theſe conditions: That the murderers of the king ſhould be puniſhed according to law; the princes ſafety provided for; Bothwell divorced, and religion eſtabliſhed. Others would have her baniſhed for ever into France,

or

or into England, provided that the king of France or queen of England, gave their words, that ſhe ſhould reſign the kingdom, and transfer all her authority to her ſon and certain noblemen. Others were of opinion, that ſhe ſhould be arraigned publicly, and condemned to perpetual impriſonment, and her ſon crowned king. Laſtly, others would have her deprived both of her life and kingdom, by a public execution. And this Knox, and ſome miniſters of the goſpel, thundered out from their pulpits.

On the other ſide, Throgmorton cited from the holy ſcriptures many paſſages to prove, "That "obedience was to be yielded to the higher pow-"ers, that carry the ſword." And wittily argued, That the queen was not ſubject to the judgment of any, but only of the celeſtial judge: that ſhe could not be arraigned, or brought to trial before any judge on the earth: and that there is no magiſtrate had any authority in Scotland, which is not derived from the authority of the queen, and revocable at her pleaſure.

They oppoſed the peculiar law of the kingdom, among the Scots, and urged that in extraordinary cauſes, extraordinary courſes were to be uſed; taking their arguments from Buchanan, who, at that time, by the perſuaſion of Murray, wrote the dialogue, "De jure regni apud Scotos:" wherein is maintained, that the people have authority to create and deprive kings.

Throgmorton, however, continued to make many earneſt motions for the reſtitution of the queen, and for acceſs to her; though Lidington had anſwered him often, that his acceſs could not be granted, ſince it was denied to the French: that they muſt not diſpleaſe the French to pleaſe the queen of England, who did but ſerve her own turn, ſince, for her own good, ſhe hoped to drive

the

the French out of Scotland; and very lately ſhewed ſo little favour to the Scots exiled for killing David Rizzo. Moreover, he ſhould beware, leſt the Scots, through his importunity, ſhould neglect the Engliſh, and incline to the friendſhip of the French, and ſecretly adviſed him, with the French proverb, "Il perd le jéu, qui laiſſe la par-"tie:" he muſt loſe that quits the game. That the Engliſh ſhould not abandon the Scots their friends.

Then, in a long writing which they delivered to Throgmorton, without any ſubſcription, they proteſted, that they ſhut up the queen in that ſolitary place, with no other intent, but that they might keep her from Bothwell, whom ſhe loved unmeaſurably, to work their confuſion, until ſhe revoked that unreaſonable love of him, and her hatred of them was aſſuaged; and told him to be ſatisfied with this anſwer till the reſt of the noblemen met. Yet every day they laid new reſtraints upon her, though ſhe with many tears, and moſt humble requeſts, begged of them to deal more mildly with her; if not as the queen, yet as a king's daughter, and mother to the prince, whom ſhe made humble ſuit to ſee frequently, but in vain.

But, that I may not inſiſt upon particular injuries, at laſt they deſired her to reſign the government, taking either her ſickneſs, or the troubles in government, an excuſe; or, as others, with greater artifice repreſented to her, that the reſignation being made, ſhe being then kept more negligently or careleſly, might make an eſcape.

When theſe tricks did not anſwer their purpoſe, they threatened openly to arraign her for incontinency of life, killing the king, and tyranny; affirming, that ſhe had violated the laws of the land, meaning thoſe which Randan and d'Oyſell had

had confirmed in the king of France and her name.

At length, terrifying her with death, they compelled her to ſign their letters-patents, which ſhe never ſaw, nor heard read; in the beginning of which, ſhe reſigned her realm to her ſon thirteen months old. In the ſecond branch thereof, ſhe appointed Murray regent during the minority of her ſon. In the third, if Murray refuſed the charge, ſhe named theſe new governors of her ſon, James, duke of Chaſteauleroy, Matthew, earl of Lenox, Gilbert, earl of Argyle, John, earl of Athol, James, earl of Mourton, Alexander, earl of Glencarne, and John, earl of Marr.

And, without delay, ſhe ſignified by Throgmorton, to the queen of England, that ſhe had reſigned by compulſion, and had ſubſcribed to the ceſſion, or reſignation againſt her will, by the counſel and advice of Throgmorton, who had perſuaded her, that the ceſſion extorted in the priſon was not valid.

On the fifth day after the reſignation, James, the queen's young ſon, was anointed and crowned king, John Knox preaching the ſermon. The Hamiltons putting in a proteſtation, that it ſhould be no prejudice to the duke of Chaſteauleroy in the right of ſucceſſion againſt the family of Lennox. But queen Elizabeth forbad Throgmorton to be preſent upon that occaſion, that ſhe might not be thought to allow the unjuſt abdication of the queen, by the preſence of her embaſſador.

On the twentieth day after the reſignation, Murray himſelf returned from France; and, the third day after, he, with many of the conſpirators, came to the queen, againſt whom he laid many heinous crimes, and perſuaded her to turn to God by true repentance, and to aſk mercy of him.

She

She ſeemed ſorrowful for the ſins of her former life; ſhe confeſſed ſome things he objected, others ſhe extenuated, others ſhe excuſed by human frailty, and moſt ſhe utterly denied.

She required him to take upon him the government of the affairs for her ſon, and begged him earneſtly to ſpare her life, and her reputation. He ſaid, it did not lay in his power; but it was to be ſought of the ſtates of the realm; yet, if ſhe deſired to have her life and honour ſaved, he gave her the following advice: That ſhe ſhould not trouble nor diſturb the tranquillity of the realm: that ſhe ſhould not ſteal out of priſon, nor move the queen of England, or the king of France, to vex Scotland with foreign or civil war: that, ſhe ſhould not have any farther converſation with Bothwell, or meditate revenge on his enemies.

The regent being proclaimed, bound himſelf by his hand and ſeal, to do nothing concerning peace or war, the perſon of the king, or his marriage, or the liberty of the queen, without the conſent of the conſpirators. He deſired Throgmorton by Lidington, not to intreat any more for the queen, ſince he and the reſt would never conſent, that ſhe being freed, ſhould cohabit with Bothwell, bring her ſon into danger, her country into trouble, and proſcribe them.

We know, ſaid he, what you Engliſhmen can do by arms; you may waſte our borders, and we may yours; and we know, that the French, in regard of our ancient league, will not abandon and forſake us. He refuſed Lignerol the French embaſſador acceſs to the queen till Bothwell was taken; and every day he uſed the diſtreſſed queen worſe and worſe, though ſhe had deſerved well at his hands.

Shortly

Shortly after, Murray put to death John Hepthorne, Paris a Frenchman, Dagliſh, and the other ſervants of Bothwell, who had been preſent at the king's death: but they (which Murray little expected) at the gallows, proteſted before God and the angels, that they underſtood by Bothwell, that Murray and Mourton were the occaſion of the king'e death, and cleared the queen from all ſuſpicion; as Bothwell himſelf, priſoner in Denmark all his life-time, and at his death, with many ſolemn oaths and religious proteſtations, affirmed, that the queen was not privy, nor conſenting to it; and, fourteen years after, when Mourton was to ſuffer death, he confeſſed, that Bothwell endeavoured to prevail on him to conſent to the murder of the king, which, when he poſitively refuſed, except the queen commanded it under her hand: Bothwell anſwered, that could not be done, but that the deed muſt be done without her knowledge.

This raſh, precipitate, and over-haſty abdication or deprivation of the queen, and the overbearing ſtubbornneſs of the conſpirators towards the embaſſadors, both queen Elizabeth and the French king took very ill, tending to the reproach of royal majeſty, and began to favour the Hamiltons, who ſtood for the queen. Paſquier alſo, embaſſador from the French king, applied to the queen of England, that ſhe might be reſtored by force of arms; but ſhe thought it a better way to forbid the Scots all commerce with France and England, till ſhe was delivered; and ſo, by that means, the common people might be disjoined from the noblemen, who, as it ſeemed, were united in the conſpiracy againſt the queen.

In Scoland, the captive queen, upon the ſecond day of May, eſcaped out of priſon in Lochlevin, by

by the means of George Dowglas, whoſe brother had the cuſtody of her, unto the caſtle of Hamilton; where, hearing the teſtimony of Robert Meluin, and others, a ſentence declaratory was made by the whole conſent of all the noblemen which were there met, being very many: that the reſignation extorted by fear from the queen, was void from the beginning; and that it was extorted, is confirmed by the oath of the queen there preſent. Hereupon, ſuch a multitude came to her from all places in a day or two, that ſhe had an army of ſix thouſand valiant men; which Murray very eaſily put to flight, becauſe they were ſo fierce, and would not obey any orders.

The queen, terrified with this ill ſucceſs, betook herſelf to flight, riding that day threeſcore miles, and afterwards, by journeys in the night, came to the houſe of Maxwell, lord Herris; and was more willing to commit herſelf to the protection of queen Elizabeth, than to truſt her own ſubjects. Yet ſhe ſent before one John Beton to her, with a diamond, which ſhe had before received of her, as a token of benevolence, to ſignify to her, that ſhe would come into England, and aſk aid of her, if her ſubjects purſued the war againſt her any farther.

Queen Elizabeth promiſed her all love and ſiſterly kindneſs: but, before the meſſenger returned, ſhe went into a little bark (her friends much diſſuading her) with the lords Herris and Fleming, and a few others, and landed the ſeventeenth day of May, at Worlington in Cumberland, near the mouth of the river Derwent; and, the ſame day, wrote letters in the French tongue, with her own hand, to queen Elizabeth; the chief heads of which, ſince they comprize a longer hiſtorical narration of the things done againſt her in

in Scotland, than elſewhere to be met with) we ſhall here lay before the reader.

"YOU are not ignorant, my beſt ſiſter, how "many of my ſubjects, whom I have advanced "unto great honour, have conſpired to oppreſs "and impriſon me and my huſband; and how, "at your interceſſion, I received the ſame men "into favour, whom I had expelled out of my "kingdom by force of arms: but yet theſe men "broke into my chamber, and cruelly killed my "ſervant, I, being great with child, beholding "it, and ſhut me up in priſon.

"When I had again forgiven them, behold they "laid upon me a new crime, which themſelves had "wrought, and ſigned with their own hands; "and ſhortly after were enranked in battle againſt "me in the field: but I, truſting in mine innocence, "to avoid the ſhedding of blood, put myſelf into "their hands. Forthwith they thruſt me into pri-"ſon, ſent away all my ſervants, but one or two "maids, a cook, and a phyſician; enforced me, "by threats and fear of death, to reſign my king-"dom; and, in the aſſembly of the eſtates called "by their own authority, denied to hear me and "my agents; ſpoiled me of all my goods, and "kept me from the ſpeech of all men.

"Afterwards, by God's help, I eſcaped out of "priſon, and, accompanied with the flower of the "nobles, who came joyfully unto me from all "parts, I admoniſhed mine enemies of their "duty and allegiance; I offered them pardon, and "propoſed that both parts might be heard in the "aſſembly of the eſtates, that the commonwealth "might not any longer be torn in ſunder by theſe "inteſtine broils. I ſent two meſſengers about this "matter; they caſt them both into priſon; they

"proclaimed

" proclaimed them that aſſiſted me traitors, and " commanded them forthwith to leave me. I re- " queſted that the lord Boyd might talk with them " under a ſafe conduct, about a compoſition; but " they alſo denied the ſame utterly.

" Yet I hoped they might have been recalled to " acknowledge their duty by your interceſſion. " But, when I ſaw I was to undergo either death " or impriſonment, I intended to have gone unto " Dunbritton; but they met me in arms upon the " way, and put my friends unto flight. I gat me " unto the lord Herris, with whom I come into " your kingdom, upon a certain hope of your ap- " proved benevolence; that you will help me " friendly, and by your example excite others to " do the ſame. Therefore I earneſtly requeſt you, " that I may be brought unto you ſpeedily; for I " am now in great diſtreſs; which I will tell you " more at large, when it ſhall pleaſe you to have " compaſſion on me.

" God grant you long and happy life, unto me " patience and comfort, which I hope and pray I " may obtain of him by your means."

Queen Elizabeth, in her letters by Francis Knowles, and others, comforted her, and promiſed to protect her according to the equity of her cauſe, but refuſed her to come to her preſence; for that, by report, ſhe was charged with many crimes; and commanded that ſhe ſhould be conveyed to Carliſle, as to a ſafer place (if her enemies attempted any thing againſt her) by Lowder, lieutenant of the place, and the power of the gentlemen of the country.

She having received this anſwer, and the acceſs denied, both by letters, and alſo by Maxwell, lord Herris, earneſtly beſought her, " That ſhe might

as well ſhew the injuries received by her, as alſo clear herſelf of the crimes objected againſt her in her preſence: that it was moſt juſt that queen Elizabeth, her neareſt kinſwoman of blood, ſhould bear her in her preſence, being baniſhed; and alſo reſtore her to her kingdom, againſt thoſe whom, being baniſhed for their villainies committed, ſhe had reſtored to their eſtates at the interceſſion of Elizabeth, and that to her own deſtruction, except it were ſpeedily averted. Therefore ſhe humbly requeſted, that ſhe might be admitted to her ſpeech, and aſſiſted; or, that ſhe might ſpeedily be permitted, with her leave and favour, to depart out of England, to crave help from ſome other place; and not be detained any longer, like a priſoner, in the caſtle of Carliſle; foraſmuch as ſhe came voluntarily into England, truſting on her love, oftentimes promiſed by letters, meſſengers, and tokens."

Through theſe letters, and the words of Herris, queen Elizabeth ſeemed (for who can penetrate into the ſecret cogitations of princes? and wiſe people conceal to themſelves their own purpoſes) to have ſincere compaſſion of this princeſs her kinſwoman, being in very great diſtreſs; who was taken by her ſubjects by force, thruſt into priſon, brought into danger of her life, condemned, and yet never heard ſpeak in her own defence (which is never denied to a private man) and fled into England to her upon an aſſured hope of help and relief. Moreover, ſhe was moved, that the diſtreſſed queen had voluntarily offered to have her cauſe argued and debated before her, and had taken upon her to prove her adverſaries guilty of all the crimes which they had accuſed her of.

Whether the pity of queen Elizabeth was ſincere or not, is not known; but certain it is, the counſellors

ſellors of England entered into a mature deliberation, what ſhould be done with her. If ſhe ſhould be kept ſtill in England, they were apprehenſive, that ſhe, who had an alluring eloquence, would daily gain over many more to favour the right ſhe pretended to the crown of England; and that they would kindle her ambition, and leave nothing unattempted to purchaſe the kingdom for her: that foreign embaſſadors would aſſiſt her; and, that then the Scots would ſtand by her, when they ſaw ſuch a fair prey. Moreover, the fidelity of keepers was uncertain; and, if ſhe ſhould die in England of a diſeaſe, it would give occaſion of ſlander, and the queen would be perplexed and turmoiled every day with new moleſtations. If ſhe ſhould be ſent into France, they feared leſt her couſins, the Guiſes, would again purſue the right and claim ſhe made to England, upon a conceit and opinion that ſhe could do much in England, with ſome for religion's ſake, with others by her plauſible right, and with many upon a mad deſire of innovation.

Beſides that, the friendſhip between Scotland and England, which is very profitable, might be broken; and the ancient league between Scotland and France renewed; which would be more dangerous than in former times, when Burgundy was tied to England by a ſtricter league than at preſent; England having now no faſt friends but the Scots.

If ſhe ſhould be ſent back into Scotland, they feared leſt the Engliſh faction ſhould be diſcountenanced, the French faction raiſed to the government of affairs, the young prince expoſed to danger, the religion in Scotland changed, the French and other foreigners brought in, Ireland more vexed and annoyed by the Highlanders, and her own life endangered by her adverſaries at home.

Hereupon, moſt of them thought beſt to detain her as a lawful prize, and not to let her go till ſhe made ſatisfaction for challenging the title of England, and anſwered for the death of Darnly her huſband, who was a native ſubject of England: for the mother of Darnly, the counteſs of Lenox, long ſince, in her own name, and her huſband's alſo, had made a grievous complaint againſt her, and had beſought queen Elizabeth that ſhe might be arraigned for the death of her ſon; but ſhe, endeavouring to appeaſe her, intreated her not to lay ſuch a crime upon ſo great a princeſs, her neareſt couſin, which could not be proved by any certain evidence: that the times were malicious, and unjuſt ſpight, lays crimes upon innocent perſons; but that Juſtice, which is the puniſher of offenders, was open eyed, and ſat by God.

On the other ſide, the lord Herris humbly remonſtrated to the queen, not to believe any thing againſt the queen unheard; and that, in Scotland, Murray ſhould not precipitate the parliament, to the prejudice of the expulſed queen, and to the deſtruction of good ſubjects. But, notwithſtanding her endeavours, Murray, in the king's name, held the parliament, attainted many that ſtood for the queen; and ſpoiled and deſtroyed their houſes and poſſeſſions.

Hereupon the queen of England, being ſeized with indignation, ſignified by Midelmore to the regent, That ſhe could not endure that, by a moſt pernicious example to kings, the ſacred authority of royal majeſty ſhould be contemned by ſubjects, and trodden under foot at the pleaſure of factious people: and howſoever they had forgotten the duty and allegiance of ſubjects toward their ſovereign, yet ſhe could not forget any duty, or office

of

of good will and pity, towards her ſiſter and neighbour queen. Therefore it was beſt for him then to come himſelf, or elſe to give commiſſion to fit and apt men for his buſineſs, who ſhould anſwer to the complaints of the queen of Scotland againſt him and his accomplices; and alſo give juſt reaſons for depriving her: if he did not, ſhe would immediately ſet her at liberty, and reſtore her to her kingdom, with all the power ſhe was miſtreſs of: and at the ſame time deſired him not to ſell any of the queen's apparel and precious ornaments, tho' the ſtates had conſented to it.

Murray obeyed, as he depended upon England only for the ſupport of his government; and the noblemen of the realm refuſed to be ſent on the meſſage. He therefore came to York with ſeven of his deareſt and moſt familiar friends, as commiſſioners for the infant king; namely, James, earl of Morton, Adam, biſhop of Orkney, Robert, commendator of Dunfermellin, Patrick, lord Lindſey, James Mangill, Henry Balnaw, and Lidington, whom Murray enticed with fair promiſes to come with him, fearing to leave him at home; and George Buchanan, one that was ready to come into all his meaſures, accompanied them.

The ſame day came thither Thomas Howard, duke of Norfolk; Thomas Radcliff, earl of Suſſex, a little before made preſident of the north, and ſir Ralph Sadlier, knight, one of the privy-council; appointed commiſſioners to hear the cauſe of the deprivation of the queen of Scotland, who took it very unkindly that queen Elizabeth would not hear her ſpeak, and yet commanded her ſubject to be heard againſt her, before commiſſioners; foraſmuch as ſhe, being an abſolute prince, could not be bound to anſwer, but at pleaſure, ſubjects accuſing her.

There appeared John Leſly, biſhop of Roſs William, lord Levinſton; Robert, lord Boyd; Gawen, commendator of Kilwinning, John Gordon, and James Cochburne, for her.

When they were met on the ſeventh day of October, and ſhewed each other their letters patents, Lidington ſtanding up, and turning to the Scots, with great boldneſs admoniſhed them:

"Foraſmuch as it ſhould ſeem, by the commiſſion granted to the Engliſh men, that the queen of England had no other purpoſe but that they ſhould defame, diſgrace, and diſcredit the reputation and good name of their queen-mother to their king; and that ſhe, as an umpire and judge, ſhould give ſentence; that they ſhould conſider with themſelves diſcreetly, what hate and danger they might draw upon themſelves by accuſing her of crimes, and bringing her in danger and loſs of reputation in this juridical and public form, before Engliſhmen, the profeſſed enemies of the Scottiſh nation; not only with the Scots that loved the queen, but alſo with other Chriſtian princes, and her couſins in France: and what reaſon they could yield for this inſolent accuſation (not without the wrong of the Scottiſh kingdom) unto the king, when he, being riper in years, ſhall think this action a reproach and diſhonour to himſelf, his mother, and his country alſo. Therefore he thought it moſt fit to leave off the odious accuſation of ſo great a princeſs, except the queen of England ſhall make a mutual league, offenſive and defenſive, againſt all perſons that ſhall trouble them for this matter."

And thus the ſecretary of Scotland adviſed them in the way of friendſhip. They looked on each other without ſaying a word. The commiſſioners of the queen of Scotland (for the firſt place of honour was given to them) before they took the oath.

oath, proteſted, although the queen of Scotland was content that the cauſes between her and her rebellious ſubjects ſhould be argued in the preſence of the Engliſh; yet that ſhe did not therefore acknowledge herſelf to be ſubject to any, or under the rule of any, being, as ſhe is, a free prince, and vaſſal holding of none.

The Engliſh proteſted likewiſe, that they by no means admitted that proteſtation, to the wrong of that right which the kings of England long time have challenged and claimed, as the ſuperior lords of the kingdom of Scotland.

On the next day the commiſſioners of the queen of Scotland by writing declared, how James, earl Mourton, John, earl of Mar, Alexander, earl of Glencare, Hume, Lindſey, Ruthen, Sempill, &c. had levied an army, in the queen's name, againſt the queen, taken her, uſed her vilely, and thruſt her into priſon in Lochlevin, had forcibly broken into her minting houſe, taken away the minting irons, and prints, and all the gold and ſilver coined and uncoined, and had crowned her ſon (being an infant) king, whoſe authority James, earl of Murray, under the name of regent, had uſurped, and had taken into his hands all the muniments, riches, and revenues of the kingdom.

And then they ſhew, how ſhe, as ſoon as ſhe was eſcaped out of priſon, after eleven months, had publicly declared, and taken her oath, that whatſoever ſhe had done in priſon, had been extorted from her (unwilling thereto) by force, threats, and fear of death; but yet, for the conſervation of the public tranquillity, that ſhe gave authority to the earls of Argyle, Eglington, Caſſile, and Rothſay, to make an accommodation with her adverſaries, who yet ſet upon her with

their men of war, as ſhe intended to travel to Dunbritton by unknown ways, killed very many of her faithful ſubjects, lead others away priſoners, and baniſhed others, for no other cauſe, but for that they had done faithful ſervice to their lawful princeſs. That ſhe, enforced by theſe their vile and leud injuries, retired and withdrew herſelf into England, to require help, which queen Elizabeth had oftentimes promiſed her, that ſhe might be reſtored to her country and former eſtate.

After a few days, Murray the regent, and the commiſſioners for the infant king (ſo they called themſelves) made anſwer, "That Henry Darnley, "the king's father, being murdered, James Hep-"borne, earl of Bothwell, who was accounted to "be the murderer, obtained ſuch favour of the "queen. that he took her, being not unwilling, "in the ſhew of violence, and carried her to Dun-"bar, and took her to his wife (having put away "his former wife:) That the noblemen, moved "thereat, thought it their duty to puniſh Both-"well, the contriver of the murder (for as much "as that murder was, in every place, laid upon "many noblemen conſpirators) to reſtore the "queen to her liberty, to unlooſe her from her "unlawful marriage, and to make proviſion for "the young king's ſafety, and the tranquillity of "the realm.

"And, when the matter was now ready almoſt "to come unto a bloody fight, that the queen "ſent Bothwell away, thundered out threats "againſt the noblemen, and breathed revenge. So "that it was, of neceſſity, to keep her in their "cuſtody, until puniſhment might be taken of "Bothwell, if he could be found.

"And

" And that ſhe, wearied with the trouble of " government, voluntarily reſigned her kingdom, " and transferred the ſame to her ſon, appointing " Murray to be regent. Upon this her ſon was, " with due rites, anointed and crowned king: " and, that all theſe things were approved and con- " firmed by the ſtates in the parliament.

" And, that the Scots commonwealth, by the " juſt adminiſtration of juſtice, reflouriſhed, till " certain perſons, envying the public quietneſs, " ſubtilly got the queen out of priſon, and, vio- " lating their fidelity toward the king, took arms, " of whom, though the king, by the favour of " God, got the victory, yet they bear ſtill the " mind to work and threaten all the hoſtility they " may; and therefore it is very neceſſary that the " king's authority may be conſerved and eſta- " bliſhed againſt ſuch turbulent ſubjects."

To theſe things the commiſſioners of the queen made anſwer (having firſt repeated their former proteſtation,) and ſaid, " Whereas Murray, and " the conſpirators do ſay, that they took arms " againſt the queen, becauſe Bothwell, whom " they charge with killing the king, was in great " favour with the queen, they cannot, with that " gloſs, clear themſelves from the mark of traite- " rous ſubjects; ſince it was not certain to the " queen that he killed the king. Yea, contrary- " wiſe, that he was acquitted, by the judgment " of his peers, of the murder; and that verdict " was confirmed by the authority of parliament, " with the conſent alſo of them who now accuſe " him; and, at that time, perſuaded the queen " to marry him, as a man more worthy to bear " rule than any other, and gave unto him their " word under their hands. Neither did they diſap-

" prove

" prove the marriage, ſo much as in word, until " they had, by fair words, enticed the captain of " the caſtle of Edinburgh, and the provoſt of the " town to their ſide; for then, late in the night, " they aſſaulted the caſtle of Borthwicke, where " the queen lay, and when ſhe, by the darkneſs " of the night, eſcaped, forthwith they levied an " army under the pretence to defend the queen, " and met her going towards Edinburgh, with " banners diſplayed, ready to fight; and, by " Grange, whom they ſent before, they willed her " to ſend away Bothwell from her company, until " he ſhould be brought to trial; which ſhe, to " avoid the effuſion of blood, willingly did.

" But Grange ſecretly willed Bothwell to depart " away, and gave his word that none ſhould pur- " ſue him; ſo that he, whom they might eaſily " have taken them, departed with their good " leave. But now having taken the queen, they " paſſed not upon him, that they might ad- " vance their ambitious purpoſes and deſigns. " And whereas they charge her to have uſed them " with rough and rigorous words; it is no won- " der, ſince they, being her ſubjects, having " ſworn their allegiance to her, had uſed her more " rudely and vilely than becometh any to uſe the " majeſty of a prince. And, when ſhe moſt wil- " lingly referred the cauſe to all the ſtates of the " realm, and ſignified ſo much by Lidington the " ſecretary, they would not ſo much as hear the " motion, but by night conveyed her ſecretly to " Lochlevyn, and put her in priſon.

" In that they ſay, ſhe voluntarily made a re- " ſignation of the kingdom, for that ſhe was wea- " ried with moleſtations in the government, is al- " together untrue; for as much as ſhe was not " outworn, or decayed by age, nor weak by ſick-

" neſs,

" neſs, but both in mind and body, able to diſ-
" charge the moſt weighty matters of ſtate.

" But this is moſt certain, that the earl of Athol,
" Tullibardine, and Lidington (who were alſo of
" their counſel) did will her to ſubſcribe unto the
" letters-patents of the reſignation, that ſhe might
" avoid death, aſſuredly intended, and that this
" would be no wrong nor bar to the priſoner, or
" her heirs; for as much as priſon is a juſt fear,
" and a promiſe made by a priſoner, by the opi-
" nion of the lawyers, is of no force, and utterly
" void.

" And that Nicholas Throgmorton did per-
" ſwade her to the ſame, by a ſchedule written
" with his own hand, whom ſhe alſo requeſted to
" ſignify unto the queen of England, that ſhe had
" ſubſcribed by coaction, and againſt her will.

" Moreover, that Lindſey, when he brought the
" letters patents of the ceſſion to be ſubſcribed,
" threatned her with death, and drave her by force
" to ſubſcribe unto it, which ſhe never read, the
" tears running down from her eyes.

" And that the lord of the caſtle of Lochlevyn
" refuſed to ſubſign it as a witneſs, becauſe he
" ſaw and knew for certain, that ſhe ſubſcribed
" againſt her will.

" Alſo that reſignation and renunciation is
" moſt unjuſt, in which nothing is aſſigned unto
" her, whereon ſhe may live, nor liberty granted,
" nor ſecurity of life promiſed.

" So that to men of indifferency ſuch like un-
" juſt reſignation cannot ſeem to prejudice her
" royal majeſty; which, as ſoon as ſhe was free at
" liberty, openly declared, ſhe did it by compul-
" ſion, making a declaratory thereof before many
" noblemen of the realm. Neither ought thoſe
" things which they brag they did by the au-
" thority of parliament, be any prejudice unto

" the

" the queen; for where in the parliaments of " Scotland about an hundred earls, biſhops, and " barons have their voices, in this tumultary parlia- " ment, there were preſent no more but four " earls, one biſhop only, one or two abbots, and " ſix barons; and of that ſmall number ſome " did put in a proteſtation that nothing ſhould be " done to the wrong of the queen, or her ſucceſ- " ſors, becauſe ſhe was a captive. Neither were " the embaſſadors of England nor France admitted " to know of her, whether ſhe reſigned her king- " dom voluntarily, although they made earneſt " ſuit ſundry times. And that it is ſo untrue, that " the uſurping regent hath juſtly adminiſtered the " common-wealth; it is moſt apparent, that im- " piety did never reign more, and with leſs con- " troulment, in throwing down churches, ruinat- " ing worſhipful families; and afflicting the miſe- " rable commonalty. Therefore they requeſt " earneſtly, that the queen of England would " ſpeedily help the queen her couſin, moſt unjuſt- " ly and vilely oppreſſed, with her favour, advice, " help, and aſſiſtance." This is taken from the original copies of the commiſſioners, written with their own hands.

When the Engliſh commiſſioners had heard theſe things, they required that Murray ſhould produce more juſt cauſes of this great ſeverity uſed againſt an abſolute queen: becauſe what had been already alledged was not ſupported by evidence, but by letters of ſmall credit, and Lidington had inſinuated that he had often counterfeited the queen's hand. He refuſed to accuſe his ſiſter any further before ſtrangers, except the queen of England engaged to undertake the protection of the infant king, and entirely to abandon the queen of Scotland.

When

When they by the authority of their commiſſion could not promiſe it, one or two of both parties were ſent for to London; to whom queen Elizabeth declared: that ſhe could not approve of the conduct of the Scots towards their princeſs; yet that ſhe would intercede for them, and hear if they had any thing elſe to ſay in their juſtification.

Murray, who followed them, in plain terms refuſed to accuſe his ſiſter, but upon the condition he had ſpoken of at York.

Then the commiſſioners were recalled, and put out of commiſſion, to the great ſatisfaction of the duke, who had always favoured the queen of Scotland's right in the matter of ſucceſſion, and thought that all this was done in order to brand her with eternal infamy, and ſo to exclude her, and her ſon, unworthy of all right of ſucceſſion in Enggland. And he thought he had thereby eſcaped two dangers; for he feared, if he had pronounced againſt her, he ſhould act againſt his conſcience, and ruin her for ever; and, if he ſpoke for her, then he ſhould incur the implacable indignation of the queen, and the ill-will of all that hated her on account of religion.

But as at that time the affairs of Scotland were greatly diſturb'd by the friends of the baniſh'd queen, and the preſence of Murray was neceſſary there; he began his accuſation before the queen, Bacon keeper of the great ſeal, the duke of Norfolk, the earls of Arundel, Suſſex, and Leiceſter, Clinton, lord admiral, William Cecill, and Ralph Sadlier, commiſſioners appointed by new letters patents; and produced articles founded upon conjectures, the teſtimonies of ſome men, and the decrees made in parliament, but eſpecially certain amorous epiſtles and verſes written (as he ſaid) with the queen's hand, to prove her privy to the death

death of her huſband, and he put Bucha nan's book (called the detection) into their hands, which had ſmall credit with the greater part of the commiſſioners, becauſe he was one of that party, and hired by money to write. But as for the epiſtles and verſes, queen Elizabeth gave ſmall credit to though there was a private quarrel between them, and ſhe was well pleaſed that ſome reproach ſhould by this accuſation be left on the queen of Scotland.

But when her commiſſioners heard that ſhe was contumelioufly accuſed by Murray, they were very ready to anſwer; but ſhe (being ſecretly inſtructed by many Engliſh lawyers, that it was lawful for her ſo to do; as the former authority and commiſſion, given to the duke and others, was abrogated) had already taken away their commiſſion: and ſhe, in plain terms, rejected the new Engliſh commiſſioners, of whom one or two were her enemies; except the French and Spaniſh embaſſadors might be added to them, and ſhe herſelf might be publickly admitted to defend her innocency before the queen; and Murray detained and brought to tryal, whom ſhe affirmed might be proved the contriver of the murder of Darnley. Which things, when Norfolk, Arundel, Suſſex, Leiceſter, and Clinton, acknowledged to be juſt; queen Elizabeth, ſomewhat angry, ſaid openly, that the Scottiſh woman would never want an advocate, as long as Norfolk lived; and thought it enough to impart the crimes objected by Murray, to every one of the privy council, and alſo to the earls of Northumberland, Weſtmoreland, Shrewſbury, Worceſter, Huntington, and Warwick, called together with an oath of ſecrecy, leſt they ſhould injure either party.

And

And when Murray was called home, and Boyde (as it was commonly reported) plotted to ſteal the queen of Scotland out of priſon, the matter was put off to another time; queen Elizabeth deteſting the inſolency of the Scots, in depriving their queen.

Murray a little before his departure, had craftily propoſed to Norfolk, the marriage with the queen of Scotland, and alſo ſecretly by Melvin given the queen hopes of being reſtored to her kingdom, and at the ſame time to draw the love of queen Elizabeth from the queen of Scotland, he had ſpread rumors that ſhe had transferred her right to England to the duke of Anjou, and that the tranſcription was confirmed at Rome; and ſhewed alſo letters (whether true or forged it is not eaſy to determine) which the queen of Scotland had written to her friends, in which ſhe both charged queen Elizabeth as though ſhe had not uſed her according to her promiſe, and boaſted of hopes of aid from ſome other perſons.

This gave queen Elizabeth great apprehenſions, yet ſhe could not conjecture from whence this new hope ſhould ariſe, the civil war increaſing ſo in France, that the biſhop of Rhedon was ſent to her by the king, to requeſt her not to intermeddle with the affairs in France, and the duke of Alba who was come the laſt year into the Netherlands to root out the proteſtant religion, had very troubleſome buſineſs come upon him.

But, as it came to light afterwards Robert Ridolphus, a Florentine, who had lived long at London, as a merchant factor, was ſuborned by pope Pius Quintus (who durſt not ſend a nuntio openly) ſecretly to excite the papiſts in England againſt queen Elizabeth, which he did both diligently and ſecretly. A ſmall ſuſpicion was alſo grown

grown out of the ſecret conferences at York, between Lidington, the biſhop of Roſſe, and Norfolk, whom they beſought to join his advice and care to help the diſtreſſed queen, offering him alſo her in marriage; which he, as a thing full of danger, modeſtly rejected; yet he promiſed not to abandon the diſtreſſed queen, in as much as was lawful for a man of honour to do, proving his allegiance to his queen and country. Ligon, a ſervant of Norfolk, a great papiſt, much increaſed the ſuſpicion, by his often going to Bolton (the lord Scroope's caſtle) where the queen of Scotland was kept by Francis Knolls, under the pretence of viſiting Scroop's wife, who was ſiſter to Norfolk. Although this was uncertain, in order to be more ſecure, the queen of Scotland was conveyed from Bolton, where all the bordering neighbours were papiſts, farther into the realm, to Tuthurie, and delivered to the cuſtody of George earl of Shrewſbury.

Now Murray, who had ſecured his return to Scotland, by the hope given to the queen of Scotland of her reſtitution, and to Norfolk, and to others in England, (for ſhe had quelled the Scots that lay in wait to kill him, and charged them not to obſtruct his return) As ſoon as he came to Edinburgh, he called the noblemen friends to the queen, under pretext of conſulting with them about her reſtitution. And when Hamilton, duke of Chaſteauleroy, appointed lieutenant by the queen, and Herris, perſuaded by the letters of the queen, with too much credulity, came thither firſt, Murray fearing ſome deſign, circumvented them; and ſtaying for no more, put them in priſon, and forthwith annoyed the friends of the queen with fire and ſword.

Here-

Hereupon reports were ſpread, in all places of England againſt Murray, namely, that he had made a contract with queen Elizabeth, that the young king of Scotland ſhould be delivered to queen Elizabeth, to be brought up in England: that the caſtles of Edinburgh and Sterling ſhould be furniſhed with garriſons of Engliſhmen: that Dunbritton ſhould be taken for the emolument of the Engliſh: that Murray ſhould be proclaimed ſucceſſor to the realm of Scoland, if the king died without iſſue, and ſhould hold the kingdom of queen Elizabeth, by fealty and homage. Theſe reports increaſed, and with their probability, ſo poſſeſſed all men's minds thorough all Britain, that queen Elizabeth thought good, for the preſervation of her own credit, and for the good of Murray, to wipe away theſe blots.

Therefore, in a printed copy, ſhe declared, on the word of a prince, that theſe reports were intirely falſe, and deviſed by thoſe who envied the tranquillity of both the kingdoms; and that there had been no contract, either by word or writing, between her or her agents and Murray, ſince he came laſt into England; but that the earl of Lenox, grandfather of the young king, had requeſted, that the king, if he could not be ſafe in Scotland from the plots of wicked men, might be ſent to England. Moreover, ſhe affirmed, that whatever was ſaid of the agreement between Murray and the earl of Hertford, namely, that they would give mutual aſſiſtance to each other, to get the crowns of both the kingdoms, was utterly falſe and untrue.

Laſtly, That ſhe did not prevent the affair between the queen of Scotland and her little ſon from being concluded: and that ſhe would do her

utmoſt endeavours that it might be effected. And, indeed, ſhe did her beſt, though ſhe was almoſt diſtracted, on the one ſide with fear, on account of the inveterate emulation which never ceaſes between women princeſſes; and, on the other ſide, with compaſſion remembered the frailty of human nature.

The queen of Scotland increaſed this compaſſion, and leſſened the fear with her frequent and affectionate letters; in which ſhe ſolemnly promiſed, both for the favours which ſhe had received at her hands, and alſo for the near affinity which united them: that ſhe would attempt nothing againſt her; and that ſhe would not be beholding to any other prince for her reſtitution, but to her only. Inſomuch, that queen Elizabeth dealt earneſtly with Murray, by Wood his ſecretary, and with other Scots, about reſtoring her to her former dignity; and, if that could not be granted, that ſhe might be joined with her ſon: and, if that could not be granted neither, yet that ſhe might live a private life at home among her friends, freely, ſecurely, and honourably. But ſhe could not prevail upon Murray (who had all the government in his hands) to yield one article.

About the ſame time, a report gained ground amongſt men of the better ſort, that the duke of Norfolk would marry the queen of Scotland, which pleaſed many, but upon different accounts, according to the variety of their different views and intereſts. For the papiſts hereby hoped to procure ſome favour for their religion; and others hoped ſome profit would ariſe thereby to the commonwealth. But many men, who ſaw the queen was not diſpoſed to marry, and that foreign princes,

princes, enemies to England, caſt their eyes upon the queen of Scotland, as the moſt certain heir of England, thought it would be a better way to eſtabliſh quietneſs, and to keep the queen of Scotland within bounds; that ſhe were married to the duke of Norfolk, the greateſt and moſt honourable man in England, and a man in favour with the people, and bred up in the religion of the proteſtants, rather than to a foreign prince, who might bring both the kingdoms into danger by her means, and alſo come ſo to inherit both the kingdoms, which they heartily wiſhed might be conſolidated in a prince of the Engliſh nation, if the king of Scotland ſhould happen to die, who they alſo purpoſed to bring into England, that he, the true heir of England, being brought up amongſt the Engliſh, might be better loved by the natives. And thus, all the ſcruples about the ſucceſſion might be taken away, queen Elizabeth ſhould have no cauſe to fear the duke, and the queen of Scotland, when ſhe had the king in her hands.

Moreover, that the duke ſhould attempt nothing againſt him, but love him more dearly, they determined to marry Margaret, the duke's only and little daughter to him, and leave the marriage to be conſummated when they came to riper years. Among theſe, were the earls of Arundel, Northumberland, Weſtmoreland, Suſſex, Pembroke, and Southampton, and many barons, yea, and Leiceſter himſelf, whether in policy, and to work the duke's deſtruction, it is uncertain, yet all theſe thought it good to acquaint the queen with the matter, and to leave the deciſion thereof to her pleaſure; and, that ſhe ſhould preſcribe the the conditions for the full ſecurity and ſafety of her own perſon, religion, and the realm.

But now take the matter briefly, if you pleaſe, from the very beginning, out of the written confeſſion of the duke, and the memorials of the biſhop of Roſs, who was the chief negociator in this buſineſs.

When the commiſſioners met at York the laſt year, Lidington and the biſhop of Roſs, to inſinuate themſelves in his favour, talked with the duke of a marriage to be made between him and that queen of Scotland; and ſo did Murray himſelf, with the duke, at Hampton-Court; and, in private talk with the duke, and alſo with many others, feigned that he wiſhed nothing more, than that matters in Scotland, being put upon a good footing, the queen of Scotland, his deareſt ſiſter, might be reſtored to her former dignity, provided that ſhe would ſincerely and unfeignedly receive her ſubjects into her former favour and grace paſt, and that all offences might be quite forgotten. Yet he feared, if ſhe married a huſband of her own chuſing, from France, Spain, or Auſtria, that ſhe would revenge the injuries ſhe had received, change the religion eſtabliſhed in Scotland, and bring England into great danger.

To prevent theſe evils, he promiſed to exert himſelf to the utmoſt, that ſhe, who had firſt married a boy, then a raſh and heady young man, and laſtly, to a madman (thoſe were his very words) might now be married to the duke, a man of diſcretion; which would be greatly to the advantage of both the realms, and the ſecurity of both the princes, and eſpecially to the eſtabliſhing of religion, ſince he (ſuch was his reſpect to the queen of England) might more eaſily make Scotland continue in friendſhip with the Engliſh, and might, with the more eaſe, draw the queen of Scotland to the religion which he profeſſed.

With

With theſe things Murray ſecretly acquainted the queen of Scotland by Robert Melvin, and offered his ſervice very officiouſly toward effecting them; but the duke anſwered, that he could determine nothing about the marriage, before ſhe cleared herſelf of the crimes objected againſt her; yet Roſs, as diligently as he could, ceaſed not to excite him to it, tho' unwillingly.

A few days after, Nicholas Throgmorton met the duke in the court at Weſtminſter, unto whom he profeſſed, and offered his ſervice very kindly, and ſignified, that Leiceſter would talk with the duke, about the marriage between him and the queen of Scotland, which Throgmorton ſaid, ſeemed ſtrange to him, ſince Leiceſter himſelf ſued for the ſame marriage not long ſince. But, he deſired the duke in friendſhip, if it were ſo, to give the honour of that marriage to Leiceſter, who had been before a ſuiter for it; but, if he ſtood ſtifly in it, to refuſe it, becauſe the Scots charged her with many heinous crimes. But yet, ſaid Throgmorton, I wiſh from my heart, that ſhe were married to you, as well for the good of religion, as alſo that ſhe may not depend on any other but our queen. Yet this I forewarn you, if you do any thing in this matter, let Leiceſter guide you by advice; for you of yourſelf ſhall hardly get the queen's conſent.

A day or two after, Leiceſter moved the matter to the duke, who anſwered juſt as Throgmorton had forewarned him; and, when he came to ſpeak of the crimes, Leiceſter extenuated the ſame, and called Richard Candiſh to witneſs, whoſe ſervice he recommended to the duke at the ſame time.

Then Leiceſter told Pembroke of the matter, and the duke told Arundel; and they, together

with Throgmorton in their letters, recommended to the queen of Scotland the duke, as a fit huſband (which Murray had done alſo before.) The duke alſo wrote, and ſignified his love, and offered his ſervice in very loving words. From that time, he imparted to them all the letters he wrote to her, or received from her; and they talked oftentimes with Roſs about the manner of concluding it. And, by Richard Candiſh, they propounded, in the year one thouſand, five hundred, threeſcore and eight, to the queen of Scotland, theſe articles written with Leiceſter's hand, viz.

1. "That ſhe attempt nothing to the hurt of "the queen of England and her children in the "ſucceſſion of the kingdom of England.

"2. She ſhould make a league defenſive and "offenſive between the two realms.

"3. She ſhould eſtabliſh the religion of the pro-"teſtants in Scotland.

"4. She ſhould receive into her favour the "Scots, which were now her adverſaries.

"5. She ſhould revoke the aſſignation of the "kingdom of England made to the duke of An-"jou.

"6. She ſhould marry ſome Engliſh noblem:n "namely, the noble prince Thomas, duke of "Norfolk."

If ſhe gave her conſent to theſe articles, they promiſed to procure the queen of England's aſſent; and that ſhe ſhould be ſhortly reſtored to her realm, and alſo be confirmed in the ſucceſſion of England.

She readily admitted them all, but added, that ſhe could ſay nothing to the league, before the French king was certified of it. She proteſted, that there was no aſſignation made to the duke of Anjou; yet ſhe would get him to make a releaſe and renunciation (if they inſiſted on it.) And intreated them, above all things, to get the conſent of the queen of England, leſt ſome hurt ſhould come to her and the duke for want of it, which ſhe had experienced in the marriage with Darnley without her conſent. Yet they thought beſt to try firſt the minds of more noblemen; of whom moſt gave their conſent, with this clauſe, "provided the queen was not againſt it." Neither did the king of France and Spain diſlike it, only they feared Murray, leſt he, that had firſt broached the matter, and promiſed to promote it to the beſt of his power, ſhould firſt hinder it. Yet they agreed on this, that Lidington, who was then expected, ſhould be the firſt to ſound queen Elizabeth.

In the mean time, the duke imparted to lord Lumley that all had been done in this buſineſs, and with much ado, obtained of Leiceſter to aſk the advice of ſome other friends. Yet a while after, he opened the matter by the conſent of Pembroke to Cecil alſo.

About the ſame time, Leonard Dacres formed a reſolution to ſteal ſecretly the queen of Scotland out of priſon at Whinfield, where ſhe was kept by the earl of Shrewſbury. Northumberland being privy to this deſign, ſignified it to the duke, who forbad them to proceed in it; for, he feared they would have delivered her to be married to the king of Spain, and hoped to obtain the conſent of queen Elizabeth ſoon.

But, the report of this marriage came more plainly to the queen's ears, by the ladies and women of the court, who are always very penetrating in law affairs.

When the duke underſtood it to be true, he dealt very earneſtly with Leiceſter, both by Throgmorton and by Pembroke, to open the matter ſpeedily to the queen: he made delays, and lingered, as it were, to ſtay for a fit time to ſpeak. But Cecil deſired the duke, who was now full of care, to open all the matter to the queen himſelf, whereby all ſcruple might be ſpeedily removed from the queen and from himſelf alſo.

Leiceſter was againſt it, and promiſed to open the matter to the queen in the progreſs. But, whilſt he put it off with ſmooth words, from one day to another, the queen, being at Farnham, ſet the duke at her table, and bitingly deſired him to take heed on what pillow he laid his head. Then at Titchfield, Leiceſter was ſomewhat ſick, or elſe feigned to be ſo, and, with many ſighs, and much anxiety, aſking pardon for his fault, he opened the whole matter, from the beginning, to the queen.

At the ſame time the queen called the duke to her into a gallery, and chid him very much, that without her privity, he had ſued the queen of Scoland in the way of marriage; and commanded him, upon his allegiance, to ceaſe from further meddling therein. He promiſed to obey willingly and gladly, and ſcrupled not to ſay, (as though he did not care for her,) that his revenues in England, were little leſs than thoſe of the kingdom of Scotland, at this time greatly impoveriſhed by the wars; and alſo, when he was in his tennis-court at Norwich, he ſeemed to himſelf to be equal, in ſome ſort, to many kings. But, from that time,

he

he began to be more dejected in mind, and, when he ſaw the queen look and ſpeak to him more ſternly, and Leiceſter in a manner eſtranged, and moſt of the noblemen decline his company, ſcarce ſaluting or ſpeaking to him, he haſtened to London without taking any leave, and went in to Pembroke, who bid him be of good cheer, and comforted him very much.

And, on that ſame day, queen Elizabeth rejected, with a ſhew of diſpleaſure, the Scotch embaſſador, who intreated her very much to deliver the queen captive; and ſaid, that ſhe had beſt behave herſelf quietly, leſt ſhortly, ſhe ſhould deprive them of their heads, on whom ſhe chiefly relied.

And now, when the rumour of the marriage increaſed every day, and the French embaſſador exceedingly urged her delivery, (more by the perſuaſion of ſome Engliſhmen, than by the orders of the French king, as it was after known) new ſuſpicions, from every place, were laid hold on: and Cecil, who applied all his care to the good of the republic and religion, was very diligent to find the depth of the matter; and therefore wrote to Suſſex lord-preſident of the North, who was an intimate friend, and nearly allied in blood to the duke, to certify the queen what he knew of the duke's marriage.

His anſwer is not known; and, as it had been obſerved, that the duke had many ſecret conferences with Murray, regent of cotland, at Hampton-Court; George Cary, ſon to the lord Hunſdon was ſent ſecretly to Murray, to learn of him, if the duke had imparted to him any thing about this marriage.

The duke, in the mean while, terrified with a falſe report ſpread, that there was a commotion raiſed

raiſed in the North; and, being informed by Leiceſter, that he ſhould be put in priſon, went out of the way into Norfolk, whilſt his friends at court, who had promiſed ſo much, might avert the ſtorm that hung over his head, and he himſelf might mitigate the queen's diſpleaſure by his humble letters: but, there were men ſet about him to take notice of all his actions.

When he found no aſſiſtance among his friends, and Heydon, Cornwallis, and other worſhipful gentlemen of thoſe parts, perſuaded him, if he were guilty of any offence towards the queen, to throw himſelf upon her mercy; he wavered, and was tormented with a variety of cares. At this time, the court was perplexed, ſuſpicious, and fearful, leaſt he ſhould break out into rebellion; and, it is ſaid, it was determined to kill the queen of Scots preſently if he did ſo.

But he, through his natural good-nature, and, being conſcious, that he had not offended againſt any law made treaſon; for that act, of marrying the king's ſiſters, or brothers, or aunts children, without the king's knowledge, made treaſon by Henry VIII. was repealed by Edward VI. and alſo, for fear leſt the queen of Scotland, through ſuſpicion, ſhould be uſed more hardly, he ſent letters to his friends at court, and told them, that he ſtepped aſide into his houſe, that in time, and by his abſence, he might procure a remedy againſt malicious reports, which are, at all times, entertained with open ears in the court, and aſked pardon moſt humbly for his offence, and without delay, took his journey toward the court.

As he returned, at St. Albans, Owen, a gentleman belonging to the earl of Arundel, ſent ſecretly by Throgmorton and Lumley, who were committed, requeſted him to take all the fault upon

upon himſelf, and not to lay it upon Leiceſter and others, leſt he ſhould make his friends his enemies. There Edward Fitz-Gerald, brother to the earl of Kildare (lieutenant of the penſioners) met and received him, and conveyed him to Burnham, three miles from Windſor (where the queen then lay.) Four days after, the abbot of Dunfermelling delivered the letters of Murray, regent of Scotland, to the queen; in which he declared to her, that the duke dealt with him ſecretly at Hampton-Court, to favour his marriage with the queen of Scotland; and that if he would not, he threatned him exceedingly, and that he promiſed to favour it, that he might prevent the ambuſcade laid by one Norton to kill him; from whom and others, the duke gave his word he ſhould return without danger. And that ſhortly after, the duke requeſted him by his letters written in cyphers, to give his conſent to the marriage. Moreover, that the duke ſignified to him by Boyd, that he would never forſake the queen of Scotland; and further, that the agents of the ſame queen had almoſt perſuaded the regent that queen Elizabeth had conſented to the marriage; and alſo that ſhe had given her hopes of the kingdom of England. And queen Elizaheth alſo found out, that ſhe had ſignified to certain noblemen of England, to win them to her ſide, that ſhe went about that buſineſs, which would be very neceſſary for the ſecurity of the queen of England, and the like ſafety for both the kingdoms.

The duke, who had a ſecret correſpondence with the biſhop of Roſs, Leiceſter, and Throgmorton, was about this time examined about this marriage with the queen of Scotland, and his ſecret conferences with the biſhop of Roſs, and confeſſed moſt things, was ſent to the tower of Lon-

London, under the keeping of Sir Henry Nevil, knight, being bitterly reproved that he had departed from the court without leave obtained, and charged as though he had intended to rebel. Two days after, the biſhop of Roſs was examined in like manner, and Robert Ridolph, the gentleman of Florence, whom the biſhop of Roſs and others uſed familiarly, was delivered into the cuſtody of Francis Walſingham. The earl of Pembroke was commanded to keep his houſe, and privately examined; yet in regard of his nobility and old age, it was granted him, that his examination ſhould not be ſet down in writing. Which he deſired, becauſe he could not write. Some noblemen were forbidden the court, as privy to theſe matters, who humbly confeſſed that they, with the duke, agreed to the marriage, which Murray had firſt propoſed; yet ſo that the duke, the queen of Scotland, and they, deſired that the matter ſhould be referred to the queen before the marriage was to be ſolemnized, and deſired pardon for their offence. In like manner, the earls of Northumberland and Weſtmorland, who were of this counſel, ſubmitted themſelves to Suſſex lord preſident of the North, and beſought him to make interceſſion to the queen for their pardon. Alſo many pamphlets came out againſt this marriage, and againſt the queen of Scotland, and the right by which ſhe claimed to become heir to England; wherein they uſed expreſſions ſo inſolent, that the queen thought once to have forbidden them by ſevere edict, and permitted the biſhop of Roſs to make anſwer; who forthwith publiſh'd a book under the name of Morgan Philips, againſt them, wherein he defended the honour of his queen, her right to ſucceed, and the government of women (for this alſo was impugned)

pugned) but ingenuouſly acknowledged afterward in his Commentaries, that he had his arguments for her right of ſucceſſion, ſecretly from Anthony Brown, chief juſtice in the common place, and Carrell an excellent good common lawyer.

Shortly after, happened the rebellion in the North, raiſed by the earls of Northumberland and Weſtmorland, with many other gentlemen. Who when they underſtood for certain, that the queen of cotland (whom, to ſet at liberty, they had principally taken arms) was carried away from Tutbury unto Coventry, under the keeping of the earls of Shrewſbury and Huntingdon; and being moved by the great preparations of the queen, they with a few others fled into Scotland.

In the year 1570, the rebellion in England being now quell'd, Murray regent of Scotland did all he could that the queen of Scotland might be delivered into his hands, and for that cauſe he both offered hoſtages, and alſo to reſtore them the earls of Northumberland and Weſtmorland; and brought to paſs, that the biſhop of Roſs, as the author of the rebellion, was committed into the cuſtody of the biſhop of London. Then to purchaſe the good will of queen Elizabeth, in the month of January he came with an army to the borders of Scotland towards England, to purſue the Engliſh rebels, of whom he took a few, and thoſe of ſmall account; but at laſt he found the earl of Northumberland lurking about Hartlawe, amongſt the thieves on the borders, diſcovered by his hoſt (one of the Graham's, who betrayed him) and ſent him unto Lochlevin to be kept; and in this journey he annoyed, and laid waſte the borders exceedingly.

But in the ſame month, after he had taken great pains, and thought himſelf in great ſecurity, he

he was ſhot from a privy place, thro' the body a little beneath the navel, with a bullet, as he rode thorough the ſtreets of Lithquo, by one Hamilton, who eſcaped ſoon after into France, and lived ſome years after, often proteſting, that he did it to revenge himſelf of a private grudge againſt him, not being able to endure patiently the injuries he offered him. For Murray had baniſhed the man, becauſe he had eſpouſed rhe queen's cauſe, and impriſoned him, threatning frequently to hang him, 'till he reſigned to a ſervant of Murray, a little ground which came to him by his wife; whereupon his wife ran mad, and in a furious rage he broke priſon, and committed the murder. Neither could he afterwards be perſuaded in France (when he ſeemed to be a man fit for a deſperate action) to attempt the ſame againſt the admiral Coligni, often ſaying, that he had revenged a perſonal injury, for which he was ſorry; but he would not revenge another man's, either for gold or intreaty.

The regent's death made a great noiſe all over England. The populace being ſtruck with idle ſuperſtitions, namely, the dream of his mother, of the lyon and the dragon fighting in her womb, after that king James the fifth had enjoy'd her. Among the wiſer ſort, according to their different intereſts, he was commended by ſome, for deſtroying the Roman religion in Scotland, the preſervation of the king a child, the equal adminiſtration of juſtice, and his munificence and liberality to learned men, and Buchanan in particular. On the other ſide, he was blamed by others, as though he took religion for a cloak, and enriched himſelf and his friends with the ſpoils of the church, and for being not only injurious, but alſo ungrateful to his ſiſter the queen,

queen, that deſerved well at his hands, and inſulting over her womanly weakneſs. And theſe men out of their ſuſpicions, and the lewd diſpoſition of many baſtards, gueſſed and conjectured, that he would not have ſpared the ſon, having already deprived the mother of her crown. The queen of Scotland herſelf was very ſorry, that he was taken away by that ſudden and violent death, before (as ſhe ſaid) he had expiated his ſins againſt God, his country and princeſs, by hearty penitency. But all the Engliſh that favoured the duke of Norfolk, accuſed him (as far as they durſt) for a crafty and falſe deceiver.

The noblemen of Scotland who were for the king, (not admitting the Hamiltons and the reſt, who had been for the deprived queen) being to meet for the election of a new regent, required the advice of queen Elizabeth. She anſwered, ſhe would not meddle in the creation of a regent, leſt ſhe ſhould ſeem to prejudice the queen of Scotland, whoſe cauſe was not yet decided and judged. But they choſe Matthew earl of Lenox, the king's grand-father regent, queen Elizabeth being not diſſatisfied with it, for ſhe knew that he would be very kind to his young nephew thro' natural affection, and kind to the Engliſh on account of the benefits he had received at their hands. And ſhe doubted not but he would be at her beck, ſince ſhe had his wife in her power.

While queen Elizabeth ſhewed favour to the king's party in Scotland; the king of Spain did not abandon the queen captive; but by means of Hamilton, rector of the church of Dunbar, he ſent ſecretly out of the Low-Countries, great ſtore of armour and gunpowder, ſeven great pieces of ordnance, and ſome money to Huntley, the gover-

governor of the north part of Scotland for the queen. In the mean while, he, the duke of Chaſteauleroy, and the earl of Argyle, lieutenants of the queen, by a common conſent, and with the conſent alſo of the queen, ſent George lord Seton ambaſſador unto the duke of Alba, who declared his meſſage to him in theſe words:

"That he was ſent out of a kingdom deprived "of publick peace, and of a worthy princeſs, "through the treachery of diſloyal ſubjects, and "that the ſubſtance of his embaſſage conſiſted in "theſe points: that aid may be given to them, "whereby the queen may be redeemed out of "miſerable captivity in a foreign land, and the "realm delivered from the oppreſſion of ſtran-"gers: that the Scottiſh rebels might be forbid-"den to traffick in the dominions of the king of "Spain: and that the 10000 crowns aſſigned by "him to the queen of Scotland might be paid."

The duke of Alba anſwered, that he would be ready and willing to further this her cauſe, upon all occaſions, to the king of Spain, but that he could not prohibit the traffick of the Scottiſh rebels, (becauſe it was contrary to the liberty of the Low-Countries) and promiſed that he would diſburſe the money very ſhortly for her uſe.

In the mean time, the lord Seton, in order to purchaſe the favour of the king of Spain and the the duke of Alba, went in diſguiſe to the States, and drew many of the Scots, that ſerved them, to a revolt, by fair words, good chear, and ſuch enticements. And when he was upon the point of being put to the torture, he hardly, and with great danger of his life, eſcaped to the duke of Alba, who promiſed to pay ten thouſand ſoldiers for half a year, but in vain, becauſe he could not

not ſend over the ſoldiers into Scotland, the wars were ſo hot in the Low-Countries.

In the mean time, the biſhop of Roſs, who had followed the buſineſs of the queen with great diſcretion, and was committed to the cuſtody of the biſhop of London (becauſe he had ſecretly kindled the rebellion in the North) being now delivered, brought to paſs, that the French king, by his embaſſador, Montluc, dealt very earneſtly with queen Elizabeth about the deliverance of the queen of Scotland, who complained very much, that ſhe was kept in cloſer confinement, and that alſo under the earl of Huntingdon, her profeſſed enemy and competitor, (ſince he as openly laid claim to the right of the kingdom of England, as ſhe did.) The ſame alſo was urged exceedingly by the king of Spain's embaſſador, in his king's name.

The queen made anſwer, (after ſhe had rehearſed the crafty purpoſes and devices of ſeveral men for the delivery of the queen of Scotland, who as ſhe inſinuated, was privy to the late rebellion) "That it would be great inconſideration, "and dangerous folly to let her go at liberty, "who doth aſpire ſo openly by ſuch evil courſes, "unto the kingdom of England: that of neceſ- "ſity ſhe was enforced to keep her ſtraighter in "priſon, to ſend away many of her ſervants from "her, whom ſhe had drawn thither in great num- "bers, and to join the earl of Huntingdon (in "whom ſhe did acknowledge no right unto the "kingdom, but ſome kindred with her) unto the "earl of Shrewsbury, whom ſhe had appointed to "be her keeper, who long ſince began to ſuſ- "pect and diſtruſt the fidelity of ſome of his ſer- "vants, and had perceived many of them daily "won to favour the queen of Scotland, yet that

" the earl of Huntingdon had been removed from " her a good while ſince. Moreover, ſhe pro- " miſed that ſhe would omit nothing ſhe could do, " to make an end and a compoſition between the " queen and the Scots; and proteſted that ſhe " would not revenge the wrongs ſhe had received " at her hands. But yet ſhe hoped that the kings " of Spain and France, and the queen of Scot- " land alſo, would give her leave to make proviſion " for the tranquillity both of herſelf and her ſub- " jects; which nature, reaſon, and her honour do " claim at her hands. If any of them ſhall de- " viſe any better and more evident means to a- " void peril and danger, that ſhe would with a " good-will hear and embrace the ſame."

After this, the privy council of England ſat often, and conſulted whether it was beſt that ſhe ſhould be ſent back to her own ſubjects, or kept ſtill in England, and what courſes were beſt to be taken for the beſt preſervation of the kingdom, the queen, and religion.

About the ſame time pope Pius Quintus had cauſed his bull or ſentence declaratory againſt queen Elizabeth (the pretended queen of England) and the heretick s adhering to her, wherein all her ſubjects were declared to be abſolved from their oath of fidelity, and all other duty, &c. And they that afterward obeyed her, were excommunicated, which was dated the five and twentieth day of February, in the year of our lord, one thouſand five hundred threeſcore and nine) to be fixed on the gates of the palace of the biſhop of London, in the night. Hereupon ſuſpicions increaſed, that ſome dangerous matter was in agitation. And immediately another rebellion was ready to break out in Norfolk, which was quelled in the beginning; ſome gentlemen

of

of Norfolk deſiring to deliver the duke (who was exceedingly beloved by all men) had deviſed at Harleſton fair, by ſounding a trumpet, to gather a multitude, under pretence to drive ſtrangers out of the land.

John Felton, who had fixed the pope's bull on the biſhop of London's gate in the night, being apprehended (for he would not fly tho' he had it in his power) being arraigned, with great courage confeſſed the fact, which yet he would not acknowledge to be any offence, and was executed near unto the place where he had fixed it.

The ſame day Felton was arraigned, the duke of Norfolk confeſſing his offence, and ſhewing great penitence, and having under his hand given his word not to deal any more about the marriage with the queen of Scotland without the privity of queen Elizabeth, he was brought back from the tower of London, to the great joy of the people, and remained at his own houſe, under the keeping of Sir Henry Nevill. Indeed he could not be arraigned of treaſon by the ſtatute of 25. of Edward the third, as Cecil ſaid, who deſirous of the duke's good, was earneſt to have him marry another woman, whereby he mightbe leſs feared, and the public tranquillity conſerved. Yet ſome there were that thought he was let out on purpoſe, that he might be brought into ſome greater danger. True it is that more things came every day to light than he ſuſpected, and the credit of his moſt ſecret counſellors was corrupted with hopes, or with bribes.

Theſe times ſuſpicions and conſpiracies abounded; for there conſpired to deliver the queen of Scotland out of priſon, Thomas and Edward Stanley, the younger ſons of the earl of Derby, by the daughter of Thomas, duke of Norfolk, Tho-

mas Gerard Rolſton, Hall, and others in Derbyſhire; but Rolſton's ſon, who was one of the penſioners, opened the conſpiracy, and they were all caſt into priſon but Hall, who eſcaped to the Iſle of Man, and from thence to Dunbritton, where being taken at the winning of the caſtle, he was conveyed to London, and there executed as a traitor. And the biſhop of Roſs himſelf, lately delivered out of priſon, was again delivered into the cuſtody of the biſhop of London, for having ſecret conference with the earl of Southampton, a man wholly addicted to the Roman religion.

Queen Elizabeth, her mind being greatly perplexed, upon the publication of the bull, and the inſurrection intended in Norfolk, ſent Cecil and Milday to the queen of Scotland, who then lay at Chatſworth in Derbyſhire, to conſult and deviſe with her by what means the diviſion in Scotland might beſt be re-accommodated, ſhe reſtored to her former eſtate, and proviſion made for the ſecurity of queen Elizabeth, and the ſafety of her little ſon. She did nothing but deplore her moſt diſtreſſed eſtate, complain of the crafty politics of Murray, excuſe Norfolk, and place all her hope in the friendſhip of queen Elizabeth. They, for the making and eſtabliſhing of a ſincere league of amity between the realms, propoſed theſe articles:

"1. The treaty of Edinburgh ſhould be con-
" firmed: She ſhould renounce her title and right
" to England during the life of queen Elizabeth.
" 2. She ſhould not renew nor keep any league
" with any prince againſt England.
" 3. She ſhould not remit or receive any foreign
" ſoldiers into Scotland.
" 4. She ſhould have no practice nor intelligence
" with any Iriſh or Engliſhmen, without the
" queen's knowledge.

" 5. She

" 5. She ſhould reſtore the Engliſh fugitives and " rebels.

" 6. She ſhould make amends or recompence " for the hurt done to the Engliſh borderers.

" 7. She ſhould enquire, according to the law, " for the murders both of Darnly and Mur- " ray.

" 8. She ſhould deliver her ſon pledge into " England.

" 9. She ſhould not marry with any Engliſh- " man without the knowledge of the queen of " England, nor with any other, againſt the wills " of the ſtates of Scotland.

" 10. The Scots ſhould not paſs over into Ire- " land without leave obtained out of England.

" 11. For the confirmation and aſſurance where- " of, the queen, and the commiſſioners to be ap- " pointed, ſhould ſet to their hands and ſeals.

" 12. Six hoſtages, whom the queen of Eng- " land ſhould name, ſhould be ſent into Eng- " land.

" 13. If the queen of Scotland attempted any " thing againſt the queen of England, by herſelf, " or by any other, ſhe ſhould loſe all her right " (ipſo facto) which ſhe claimeth in England.

" 14. The caſtles of Hume, and Faſt caſtle, to " be kept by the Engliſhmen three years.

" 15. Some fortreſs alſo, in Galloway, or Can- " tire, ſhould be delivered unto the Engliſhmen, " leſt the Iriſh-Scots ſhould infeſt Ireland from " thence.

" 16. Laſtly, the eſtates of Scotland ſhould con- " firm all and ſingular theſe things by the autho- " rity of parliament."

To theſe propoſitions, ſhe anſwered prudently enough, upon the ſudden; but ſhe referred them

for a fuller anſwer to the commiſſioners, ſent by her lieutenants in Scotland, who were the biſhop of Roſs, her embaſſador in England, Alexander Gordon, biſhop of Galloway, uncle to the earl of Huntley, and William, lord Levingſton, who afterwards admitted ſome of theſe articles, and rejected others.

They anſwered, That the treaty of Edinburgh ſhould be confirmed, the title renounced during the life of queen Elizabeth: that they muſt conſider of the ancient league with France, which, if they did not keep, the queen ſhould loſe her dowry; the Scotch nation, of the which one hundred and twenty-four archers are maintained in the guard, merchants, ſtudents, many that poſſeſs land by inheritance, and that have ſpiritual livings, ſhould be turned out, and loſe their penſions, immudities, and privileges, which they enjoy, being very great, and Scotland ſhould be deprived of the amity and aid of a moſt mighty nation.

Which things, except the Engliſh did liberally and bountifully recompence, they cannot renounce and forſake the French league by any means: that they will not admit any foreign ſoldiers, except in caſe of ſuch a rebellion as cannot be ſuppreſſed by ſoldiers of their own country: that the queen of Scotland ſhall have no intelligence with the ſubjects of England, provided the queen of England, in like manner, ſhall have none with the ſubjects of Scotland, to the hurt of Scotland: if there be any Engliſh rebels, or fugitives, they are in the hands of the Scotch rebels, and are demanded of them: the damage done, is to be examined by commiſſioners: for the murder of Darnly and Murray, let them be enquired into according to the laws of Scotland: that they cannot deliver the king for hoſtage, who

is,

is, in the hands of men, that uſe the king's name as a colour for their rebellion againſt the queen: that it is ſtrange, and a thing not heard of at any time, that a free princeſs ſhould be preſcribed in her marriage by a foreign prince, and her own ſubjects: that the Scots ſhall not be ſent over into Ireland, if reciprocally, the Iriſh be tied with the ſame condition, not to paſs over into Scotland.

For the greater ſecurity in theſe things, they conſented to give hoſtages whoſoever the queen of England would name, except the duke of Chaſteauleroy, the earl of Huntley, Argyle, and Athol.

Moreover, they conſented, that the queen of Scotland ſhould be excluded from her right of ſucceſſion in England, if ſhe attempted any thing againſt the right of the queen of England; provided, that the queen of England might again be tied in ſome equal penalty, if ſhe attempted any thing againſt the queen of Scotland.

Concerning the caſtles of Hume and Faſt caſtle, they requeſted, that they might be reſtored to the lord Hume, the true lord and proprietor of them; and that the Engliſh would detain them no longer from him; and that, to deliver fortreſſes in Galloway or Bantire to foreigners, was no other thing, than to give a new occaſion of war.

When they could not agree upon theſe articles, and the commiſſioners did not return from the regent of Scotland, and, in the mean time, it was reported, that aid was earneſtly required by her friends of the pope, the king of France, and the duke of Alba, for the deliverance of the queen of Scotland, and the Engliſh rebels; as Weſtmoreland, the counteſs of Northumberland,

and the reſt, were conveyed ſecretly out of Scotland, ſo nothing came of this treaty.

Notwithſtanding this, the biſhop of Roſs ſent the articles of it to the pope, and the kings of France and Spain, and inſinuated to them, that the queen of Scotland muſt, of neceſſity, yield to them, unleſs they helped her both with advice, and other aid, very ſhortly, which he did moſt earneſtly requeſt at their hands, but in vain: for they were entirely employed with other matters.

In the year 1571, a little before this time, Ridolphus the Florentine, before-mentioned, who had carried on much merchandize and traffick at London fifteen years, ſent ſecretly the letters of the pope to the queen of Scotland; in which he promiſed to do his utmoſt to advance the catholic religion and her; and required her to give credit to Ridolphus in all things; and alſo, that he might underſtand by him, who now determined to return into Italy, by what means he might do any good, and give any relief to the catholic religion, and remedy to the common miſchiefs in England and Scotland. Ridolphus alſo, in his own private lettes, requeſted the queen to impart theſe things to the duke of Norfolk, and her friends; and that ſhe would commend him to them. But, ſhe delayed her anſwer (though the kings of France and Spain, and the duke of Alba, wrote to the ſame effect) until ſhe ſaw to what end the treaty already begun, would come.

For there came, as from the king of Scotland, to that of the Scotch affairs, the earl of Mourton, Pitcarne, abbot of Dunfermelling, and James Mac-Gill, who when queen Elizabeth commanded them to lay down evidently the cauſes of their depriving the queen of Scotland, and to prove them to be juſt) ſhewed a tedious and long inſtruction,

ſtruction, or memorial, in which, with a moſt inſolent liberty and bitterneſs of ſpeech, they endeavoured to prove the people of Scotland to be ſuperior and above their kings, by the ancient privileges of the kingdom of Scotland, by almoſt forgotten examples, collected from all places; they endeavoured to prove, by the authority of Calvin, that the popular magiſtrates are appointed to moderate and keep in order the ambition and unrulineſs of kings; and that it is lawful for them to impriſon wicked and arbitrary princes, and even to deprive them of their kingdoms.

But, they enlarged much upon their lenity toward their deprived queen, becauſe they ſuffered her to ſubſtitute her ſon in her place, and to appoint him governors. That it was an effect of the mercy of the people, and not for her innocence, that they ſuffered her to live; and many other things, tending to vilify and debaſe the majeſty of kings.

This memorial queen Elizabeth read, but not without indignation; and, as a libel written in the ſlander and reproach of kings, condemned it, though ſhe ſaid nothing; but to the comiſſioners, ſhe anſwered, that, as yet, ſhe did not ſee a juſt cauſe for their abuſing and vexing the queen in that manner; and therefore her will was, that they ſhould take ſome ſpeedy courſe for the quenching the diviſion and diſcord in Scotland.

Hereupon, at the houſe of Bacon, keeper of the great ſeal, it was propoſed to the biſhop of Roſs, the biſhop of Galloway, and the lord Levingſton, commiſſioners for the queen of Scotland: that, in order to give ſecurity to the kingdom and queen of England, and to the noblemen that took the king's part, the duke of Chaſteaulerot, the earls of Huntley and Argyle, the lords

Hume

Hume and Herris, and another lord ſhould be given for hoſtages; and the caſtles of Dunbritton and Hume delivered into the hands of the Engliſh for three years.

They anſwered, "It was not to be doubted, "but the queen of Scotland, who, of her free-"will, committed herſelf, to the protection of the "queen of England, would alſo moſt willingly "give her ſatisfaction in all things which might "conveniently be done; but, to deliver ſuch "great men, and ſuch fortreſſes, was no other "thing, but to ſpoil and deprive the diſtreſſed "queen of the ſuccour and ſtrength of all her "moſt faithful friends, and of the moſt ſtrong "places.

But, they offered two earls, of whom one ſhould be one of the three named, and two lords, to be hoſtages for two years; but that the holds and caſtles by the league, could not be delivered to the Engliſh, except others, in like manner, were delivered to the French.

"But, ſaid Bacon, all the realm of Scotland, "the prince, the noblemen and caſtles, are not "all ſufficient to give ſecurity to the queen, and "the moſt flouriſhing realm of England; and "therefore the queen of Scotland was not be let "go upon any ſecurity the Scots could propoſe."

Hereupon they declared openly, that now, at length they plainly underſtood, that the Engliſh were reſolved fully to keep the queen priſoner for ever in England; and, withal, to break off the treaty, ſince they exacted ſo earneſtly ſuch ſecurity, as Scotland could not give by any means, yet the other counſellors of England proteſted, that they earneſtly deſired the deliverance of the queen of Scotland, provided ſufficient ſecurity were given.

And

And, to that purpoſe, they alſo talked with Mourton and his aſſociates upon the ſubject, and of ſending the king into England, who in plain terms anſwered, that they had no commiſſion to treat or deal, either to receive home the queen into Scotland, or to ſend the king into England. But the commiſſioners of the queen of Scotland rejected this as a frivolous excuſe;

"For, certainly, ſaid they, they that had au-
"thority to deprive the queen, had alſo autho-
"rity enough to reſtore and ſet her at liberty;
"neither needed they to look for any authority
"from the reſt of the conſpirators, ſince their
"wicked fact had made them equals (facinus
"quos inquinat, æquat.) As for the prince, he
"could not, being but five years old, give them
"authority; and, as for the regent, he had com-
"mitted all the matter to queen Elizabeth, and
"to her pleaſure."

Therefore they requeſted the commiſſioners of England, that theſe men might be compelled to conſult thereof, or elſe the matter ended and accommodated upon equal conditions, without theſe men. But queen Elizabeth, when ſhe ſaw nothing could be done to give herſelf, the king, and the realm ſecurity, except both the factions agreed together; ſhe thought it expedient, that the ſtates of Scotland, which were ſhortly to aſſemble, ſhould elect men who ſhould endeavour to make an accommodation.

Hereupon Roſs, and his aſſociates, openly complained, that many of the queen of England's counſellors abuſed the prudence of the queen of England, and the patience of the queen of Scotland, and had deluded foreign princes with their ſubtle policy, and brought the Scots to great trouble by their deluſions. And, indeed, the queen

queen of Scotland, complaining of their proceedings, and weary of theſe delays, called away the biſhop of Galloway and Levingſton, and commanded Roſs (whom the queen of England had ordered to depart from London) to continue there by the right of an embaſſador, and appointed her friends in Scotland to take arms, and not truſt any longer to the truces which had been hurtful to them.

For, at the time that theſe things were done in England, they had ſuſtained great loſſes, many had been executed, more ſlain, Dunbritton, the ſtrongeſt fort in Scotland taken, and James Hamilton, archbiſhop of St. Andrews, brother to the duke of Chaſteauleroy, as accomplice in the murder of the king, was hanged, upon the accuſation of a prieſt, who affirmed, that he had heard it in confeſſion from one of the regicides.

The captive queen, having now no hopes left, was in great grief, and all her ſervants but ten, and a prieſt to ſay maſs, being ſent away, all her hopes of liberty being gone, divulged what ſhe could not refrain, and that which ſhe had long concealed in her mind. She therefore ſent ſecretly the duke of Norfolk a long account of her purpoſes, which ſhe had written before, and certain love-letters, in a private character, known to them two, and other letters, to be carried to the pope, and the king of Spain, by Ridolphus, whom ſhe commended as one very much attached to her intereſt; and her intimate friend Higford, the duke's ſecretary, who wrote out this commentary and letters, in an uſual hand and letter, was commanded to burn it; but he did it under the mat in the duke's chamber, and that on purpoſe, as it ſeemed.

This

This Ridolph, once to the duke himſelf, and more frequently by Barker, reaſoned thus: That he had obſerved, that there were many noblemen and commons in England, that deſired an innovation; and thoſe were of three ſorts; ſome that had been in credit in the time of queen Mary's reign, and now were not accounted of; others, that were addicted to the popiſh religion, and grudged inwardly that they might not uſe it freely; and others, that were not content with their eſtate, and hoped for better.

Theſe were ready, but wanted ſome nobleman to be their captain, or leader, and foreign aid. There could not be a fitter man for captain, and more noble than the duke, who had the love of the realm: and he had great reaſon to revenge the wrongs done to him, by his long detention in priſon; and now, to his reproach, not called unto the parliament, in which he had a place and voice, as the chiefeſt nobleman, and earl-marſhal of England. And, to perſuade him the more effectually, he ſhewed him a roll of the noblemen who had vowed to ſpend their lives and goods for him, if he would attempt it.

As for foreign aid, he aſſured him, That the pope, ſo that the Romiſh religion might be advanced, would defray all the charges of the war, who had already laid in bank a great ſum of money the laſt year when the bull was publiſhed; of the which money, Ridolph himſelf had diſtributed a great part among the Engliſh fugitives. He promiſed that the king of Spain, irritated by the injuries of the Engliſh men, would ſend to help them four thouſand horſe and ſix thouſand foot, which might be ſent over and landed at Harwich, a port in Eſſex (whereabouts the duke had many tenants and gentlemen holding of him) moſt fitly and without

out ſuſpicion, in the beginning of ſummer, when the duke of Medina Cæli was to come with a good navy into the Low-Countries.

Laſtly, he concluded, That ſuch a moderation might be uſed, that all ſuſpicion of treaſon in the duke might be taken away, and proviſion made for the ſafety of the queen of England, if only ſhe would embrace or tolerate the Romiſh religion, and conſent to the marriage of the queen of Scotland with the duke.

The duke gave ear to theſe things as likely, but yet refuſed to ſubſcribe to the letters of credit, as they call them, which Ridolph, being ready to depart, ſhewed him. Neither would he hear the advice of Roſs, which he had long ſtudied, and put into his head by Barker; namely, That the duke, with a ſelected company of noblemen, to take the queen ſuddenly, and to diſturb the parliament; and by this means the marriage with the queen of Scotland might be finiſhed, and the Romiſh religion ſet in better ſtate in England, without any great ſtir, and without any foreign aid. Which might eaſily be done, having ſo many noblemen ready and prompt to enter into this action, as could not be aſſembled again in one place without ſuſpicion. And juſt cauſe there was, for that the duke was kept long in priſon againſt the laws of the realm, and not admitted into the parliament; and alſo for that more rigorous laws were deviſed againſt the papiſts: and, to do this, he brought in the example of Caſtruction in Italy, and others, who by ſudden actions, had proſperouſly effected great matters; and how five noblemen in Scotland, very lately, had diſturbed the parliament wherein Murray was to be attained, and got the queen into their hands.

This

This advice the duke, who was of a virtuous diſpoſition and far from any villainy, deteſted and diſliked as pernicious and dangerous: but, about the ſame time, Henry Piercy offered his ſervice to Roſs, in delivering the queen of Scotland out of priſon; ſo that Grange and Carr of Ferniherſt might receive her at the borders of Scotland; and his brother, the earl of Northumberland, might be delivered out of Scotland. But, when his credit was ſuſpected, becauſe of his private familiarity with Burleigh, and he delayed the matter very long, that plot came to nothing: for the which, upon his ſubmiſſion, he was notwithſtanding fined in the ſtar-chamber at five thouſand marks, which nevertheleſs the queen did not inſiſt upon: as alſo the plot of Powel of Sandford, one of the penſioners; and of Owen, a gentleman belonging to the earl of Arundel, who intended to venture upon the ſame action, had they not been reſtrained by Roſs, as not able to perform ſo great an attempt, ſince their abilities were not equal to ſuch enterprizes.

Yet did many Engliſh men haſten the marriage between the queen of Scotland and the duke of Norfolk as much as they could; for they had by their perſuaſions brought him to think of the marriage with her again, contrary to the promiſe he had made; which was firſt diſcovered by theſe means:

Ridolph, the Florentine, whom we have ſpoken of, being ſent over ſea into foreign countries, to negotiate for the queen of Scotland, had acquainted Charles Bailiff, a Flemming, one of her domeſtics, with all his contrivances with the duke of Alva, and had delivered him letters wrote in cyphers to her, the Spaniſh embaſſadors Norfolk, Roſs, and the lord Lumley, all put into one packet, which Bailiff brought over with him, though Roſs had ordered

ordered him to leave them with the captain of Calais to be ſent over: but, as ſoon as he arrived in Dover haven, he was apprehended and put into priſon; but his packet of letters was ſent to the lord Cobham, warden of the cinque-ports; which things Roſs was immediately made acquainted with, and dealt ſo diligently and craftily with Cobham, who was not ignorant of the duke's counſel, that that packet was delivered to him, and another with other old letters wrapped up, was delivered to the privy-counſellors; and this was alſo ſignified to Bailiff. Yet he, being upon the rack, confeſſed ſome things, and, amongſt other, that a packet of letters came to the hand of Roſs. This came to the knowledge of Roſs alſo, who forthwith very wiſely ſent away Cuthbert, his ſecretary, and laid aſide his cyphers and privy characters, with other things which might bring trouble, at his friends houſes; ſo that when Suſſex, Burleigh, Mildmay, and Sadier, ſearched his houſe moſt narrowly, they found nothing, nor could wring nothing out of him with interrogations; as he ſtill inſiſted, that an embaſſador was not to be compelled to give an account of his actions, and make any anſwers, to any but his own prince. Yet, on the next day, Roſs was delivered to the biſhop of Ely to keep; and ſhortly after he was ſent into the iſle of Ely; alſo ſir Thomas Stanley, ſir Thomas Gerard, knights; and Rolſton, of whom I have ſpoken, were ſent to the Tower of London: and Henry Howard, who had ſued to the archbiſhop of York, upon ſuſpicion was committed to the keeping of the archbiſhop of Canterbury.

About the ſame time, the queen of Scotland had ſent a certain ſum of money to the French embaſſador for her friends in Scotland. He delivered it to Barker and Higford, who acquainting the duke with

with the matter, delivered it to one Brown, a citizen of Shrewſbury, a retainer of the duke's, to be carried by Baniſter and Lander into Scotland, to the lord Herris. Brown being ſuſpicious, when he perceived by the weight, that they had delivered the money in gold and not in ſilver, delivered it and the letters to the privy-counſellors.

It was hereupon obſerved by ſome intelligent perſons, that this was the firſt time that the duke committed treaſon, in that he had given aid to Herris and the Scots, proclaimed enemies, who had depopulated the Engliſh borders. Hereupon Higford was caſt into priſon, and immediately confeſſed all he knew concerning the money; and, at the ſame time, he told them in what places he had hidden the letters, cyphers, and the narrative of the queen of Scotland, under the mat and in the tiles.

In this, the queen of Scotland expreſſed her mind as follows: "The French king allowed the conference appointed with the Scots, and that they propoſed the marriage of Anjeou with queen Elizabeth, for no other purpoſe, but that they might, with the better colour deny their aid, promiſed to reſtore her: that they ſecretly ſought to hinder her marriage with don John d'Auſtria; and that they favoured exceedingly the marriage with Norfolk, upon malice to the Spaniard: That the duke of Alba did diſallow the purpoſe of ſending back the queen of Scotland into Scotland, ſo much, that he thought thereby would be wrought not only the utter deſtruction of the queen, but alſo of the Romiſh religion in all Britain; becauſe that the queen returned into Scotland would be in danger of ſiege, or elſe of neceſſity put to the adventure of a battle with the rebels, who may eaſily get her into their

hands, by the help of the Engliſh, before foreign aid could come to help her. Therefore, ſince ſhe cannot be in ſafety in Scotland, and no hope of help was likely to be out of France, turmoiled with civil wars, the moſt convenient courſe ſeemed for her, to reſort for ſuccour to the king of Spain, who had offered to marry her to don John d'Auſtria, which yet ſhe would refuſe, upon condition that the romiſh religion might be reſtored in Britain by Norfolk: and alſo, that her ſon might ſpeedily be conveyed out of Scotland and ſent into Spain; for ſo he might be kept in ſafety, inſtructed in his tender years in the romiſh religion; and withall, all pretext taken from the Scots, who uſe his authority and name to countenance their rebellion. For the working of theſe things, and the procuring of foreign aid, Ridolph was with ſpeed to be ſent away, and admoniſhed ſecretly to keep theſe things from the French king by all means."

When the privy-counſellors had received this narrative, the letters I above-mentioned, and others ſent from the pope, and Barker being taken, had confeſſed all theſe things; ſir Ralph Sadlier was commanded to watch the duke's houſe, at the Charter houſe in London, with a band of ſoldiers.

The next day, the duke himſelf being examined, (not knowing what his ſervants had confeſſed, and thinking that the narrative had been burned, and the letters alſo) denied all things ſtoutly. A day or two after, namely, on the ſeventh day of September, he was conveyed to the Tower of London again by ſir Ralph Sadleir, ſir Thomas Smith, ſir Henry Nevil, and doctor Wilſon: and then Baniſter, who was the duke's lawyer, and the earls of Arundel and Southampton, the lords Lumley and Cobham, and Thomas his brother, Henry Piercy,

Piercy, Lowder, Powel, Goodyere, and others, were put in priſon; who every one, in hope of pardon, told all they knew.

As ſoon as the commiſſioners ſhewed him the confeſſions of theſe men, the letters of the queen of Scotland, and of Roſs, with the narrative, he was aſtoniſhed; but, beholding the commentary, with the letters which he thought had been burned, he broke out into theſe words: "I am betrayed "and undone by my ſervants, becauſe I know not "how to diſtruſt, which is the ſinew of wiſdom." But he beſought the commiſſioners humbly to ſpeak to the queen in his behalf, promiſing that he would conceal nothing that he knew; and ſolemnly proteſting that he approved nothing which was injurious to the queen or prejudicial to the realm; and, that he entirely diſapproved of the plots to ſurprize the queen and the Tower of London, and to ſet at liberty the queen of Scotland; and, that he never had a deſign to bring in any foreign forces, but only to ſuppreſs the Scots that rebelled againſt the queen.

The ſame day, being examined upon fifty articles, more or leſs, he concealed nothing. Then all the courſe of the buſineſs was declared in the Star-chamber, a great aſſembly of noblemen, the mayor and aldermen of London, being preſent; and afterwards to all the citizens in the Guild-hall; by William Fleetwood, the recorder.

But, when the biſhop of Roſs was accuſed by the confeſſion of every one of them, and by the duke alſo, as the author of the deſign, a ſerious conſultation was held, what was to be done with him, as he was an embaſſador; for he, thinking it lawful for him to promote the affairs of his prince by any manner of means, and not to be brought in queſtion of law upon the inviolable

privilege of embaſſadors in a foreign court, had done many things long ſince turbulently, by kindling a commotion, and having nightly conferences with the earl of Southampton and others, and now again with the Engliſh fugitives in the Low-Countries, the duke of Alba, the king of Spain, and the pope, concerning the invaſion of England: therefore the cauſe was propoſed to David Lewis, Valentine Dale, William Aubrey, and Henry Jones, doctors of the civil law,

"1. Firſt, Whether an embaſſador, that raiſeth "or procureth rebellion againſt a prince unto "whom he is embaſſador, may enjoy the privileges "of an embaſſador, and not be ſubject to puniſh-"ment as an enemy?"

They anſwered, "Such an embaſſador, by the "law of nations, and civil-law of the Romans, "hath forfeited all the privileges of an embaſſador, "and was ſubject to puniſhment."

"2. Secondly, Whether an agent of a prince, "who is deprived by public authority, and in "whoſe place another is crowned, may enjoy the "privilege of an embaſſador?"

They anſwered, "If ſuch a prince be lawfully "deprived, his agent cannot challenge the privi-"lege of an embaſſador, ſince none but they "which have the rights of an abſolute prince can "appoint embaſſadors."

"3. Thirdly, Whether a prince, who ſhall "come into the kingdom of another prince, and "be kept in priſon, may have his agent; and "whether he be to be accounted an embaſſador?"

They anſwered, "If ſuch a prince, who ſhall "come into the kingdom of another prince, and "be kept in priſon, hath not loſt his principality, "he may have an agent; but, whether that pro-

"curator

" curator may be reputed an embaſſador that de-
" pendeth on the authority of his commiſſion or
" delegation."

" 4. Fourthly, Whether, if any ſuch prince do
" denounce and tell to ſuch an agent and prince,
" being in priſon, that this procurator ſhall be ac-
" counted no longer for an embaſſador; whether
" this procurator by the law may challenge the
" privileges of an embaſſador?"

They anſwered, " The prince may forbid the
" embaſſador from coming into the realm, and
" command him to depart out of the realm, if he
" does not confine himſelf within the bounds pre-
" ſcribed to an embaſſador; yet, in the mean
" time, he may uſe and enjoy the privileges of an
" embaſſador, according to the authority given
" him by his commiſſion."

After theſe anſwers of the learned lawyers, Roſs being brought back out of the iſle of Ely, was ſeverely reprimanded, and told by the counſellors, that he was no longer to be acknowledged as an embaſſador, but, as a contriver of treaſons, to be ſeverely puniſhed.

He anſwered, That he was the embaſſador of an abſolute queen unjuſtly deprived: that he had dealt diligently, according to his place and duty, for the liberty of his prince, and the good of both the kingdoms: that he came into England with a ſufficient authority (which he ſhewed) with the moſt ample authority of an embaſſador; and, that the ſacred rights and privileges of embaſſadors are not to be violated upon any account.

Burleigh told him, that neither the privileges of embaſſage, nor letters of public credit, protect embaſſadors who offend againſt the public majeſty of the prince, but that they are ſubject to puniſh-

ment; otherwiſe it might be lawful for wicked embaſſadors to attempt any thing againſt the lives of princes.

He, on the other ſide, perſiſted in maintaining, that the rights and privileges of embaſſadors were never violated by the courſe of law; but, to uſe his own words, "by the way of fact;" and vauntingly requeſted them not to uſe him with more rigour than was uſed to the Engliſh embaſſador Throgmorton in France, and to Tamworth and Randolph in Scotland, who had raiſed ſedition and openly maintained it; and had not any other puniſhment, but only were commanded to depart within a time appointed.

When they urged him with the teſtimonies of Engliſh men, he, with fair words, requeſted them not to do ſo, ſince it was a long received cuſtom, which was grown to a law, as he ſaid, That the teſtimony of a Scot againſt an Engliſh man, and of an Engliſh man againſt a Scot, was not to be received.

After much altercation, whether this was to be allowed, except between the borderers of both the kingdoms, and that alſo in matters of the borders; and then whether the Engliſh embaſſadors had raiſed and foſtered rebellions; Roſs was committed to the Tower of London, where he was kept very cloſe, and anſwered in brief to all the interrogatories, with that caution and warrineſs, that his anſwers could hurt no body. He excuſed the queen of Scotland, ſince ſhe, being a priſoner, and in the flower of her age, could not but ſeek all the means ſhe could of liberty, ſince queen Elizabeth excluded her from all acceſs to her, put her out of all hope of her liberty, and openly maintained her adverſaries. He excuſed the duke, affirming that he had dealt nothing in the marriage

with

with the queen of Scotland, but with the conſent of moſt of the queen's council: adding, that he could not leave her (though he had promiſed ſo to do under his hand) for that there had paſſed a mutual repromiſſion of future marriage between them before that time.

Laſtly, he excuſed himſelf, ſince he, being an embaſſador, could not, without a great offence, forſake his duty, and abandon his ſovereign princeſs in her affliction and adverſity; and, that he propoſed the taking of queen Elizabeth for no other cauſe, but to try the duke's mind, whether he ſtood conſtant and reſolute.

But the crimes of the other he extenuated with addreſs, and by no means could be induced to tell the names of the noblemen that promiſed to help the duke to ſurprize the queen: but he confeſſed that he, by the queen of Scotland's orders, aſked advice of the duke, Arundel, Lumley, and Throgmorton, by their ſervants that came to and fro, and the viſcount Mountague by Lumley, concerning the delivery of the caſtles in Scotland, the hoſtages, the delivery of the king of Scotland to the Engliſh, and the reſtoring of the Engliſh rebels.

Thus much of theſe matters this year out of the duke's confeſſions, and the narrative of Roſs himſelf, written with his own hand, ſent to the queen of Scotland.

Matthew, earl of Lenox, regent of Scotland, grandfather to the king, had ſummoned an aſſembly of the eſtates at Stirling, in the king's name, where living ſecurely, he was taken on the ſudden by the noblemen of the contrary faction, who held a parliament at Edinburgh at the ſame time in the queen's name. He had ſurrendered himſelf to David Spenſe of Wormeſton, who exerting himſelf

to the utmoſt to ſave his life, was ſlain, together with the regent, who had governed the realm for the king his grandchild but fourteen months, by Bell and Caulder. In his place was ſubſtituted, by the voices of the king's faction, John Areſkin, earl of Mar, who died after he had been regent but thirteen months.

Theſe dangerous times produced, in the parliament held in England, this law: It was made treaſon, if any attempted any harm or hurt, made war, or moved any other to raiſe war, againſt the queen. If any affirmed that ſhe poſſeſſed not the crown rightfully, but that others had more right to the crown; or did ſay that ſhe was an heretic, ſchiſmatic, or infidel; did uſurp the right of the kingdom during her life, or ſhall ſay that any other hath right to the crown, or that the laws and ſtatutes cannot define and bind the right of the crown, and the ſucceſſion of the ſame. If any in the queen's life, by written or printed book, expreſly affirm, that any is or ought to be heir or ſucceſſor to the queen, beſides the natural iſſue of her own body; or ſhall print or ſell any books or ſchedules to that effect; he and his fautors for the firſt time ſhall be impriſoned a whole year, and loſe half his goods; and, for the ſecond offence, incur premunire; that is, to loſe all his goods and lie in priſon for ever.

This ſeemed ſomewhat ſevere to many who were of opinion, that the tranquillity of the realm would be eſtabliſhed by the deſignation of a certain heir: but many obſcene jeſts were made upon that clauſe, "Beſides the natural iſſue of her body," ſince the lawyers call them natural that are born out of matrimony; but the legitimate they call, out of the form of words uſed in the law of England, Children of his body lawfully begotten; inſomuch

ſomuch that, being a young man, I heard it often ſaid, that the word was thruſt into the act by Leiceſter, to the intent that he might, at one time or other, force upon them, againſt their wills, ſome baſtard ſon of his, as the natural iſſue of the queen.

An act was made alſo, at this parliament, that it ſhould be treaſon to reconcile any to the church of Rome, by any bulls or reſcripts of the popes, or any that were reconciled: they that abetted the reconcilers, or brought in any Agnus, Deigrana, crucifixes, or other things conſecrated by the pope, into England, ſhould incur the penalty of premunire. And that it ſhould be miſpriſion of treaſon in them, that did not diſcover their reconcilers.

It was moved in the ſame parliament, that if the queen of Scotland offended again againſt the laws of England, that they might proceed againſt her, according to the law, as againſt the wife of a peer of the kingdom of England: but the queen would not ſuffer it to paſs.

On the ſixteenth day of January, Thomas Howard, duke of Norfolk, was arraigned at Weſtminſter-hall, before George Talbot, earl of Shrewſbury, appointed for that day lord high ſteward of England; and, on both ſides of him ſat the peers, namely, Reynold Grey, earl of Kent, Thomas Ratcliff, earl of Suſſex, Henry Haſtings, earl of Huntingdon, Francis Ruſſel, earl of Bedford, Henry Herbert, earl of Pembroke, Edward Seymour, earl of Hertford, Ambroſe Dudley, earl of Warwick, Robert Dudley, earl of Leiceſter, Walter Devereux, viſcount Hereford, Edward Clinton, admiral, William lord Howard of Effingham, chamberlain, William Cecil, lord Burghley, ſecretary,

Arthur

Arthur, lord Grey, of Wilton, James Blount, lord Mountjoy, William lord Sands, Thomas, lord Wentworth, William, lord Burrough, Lewis, lord Mordaunt, John Powlet, lord St. John of Baſing, Robert, lord Rich, Roger, lord North, Edmund Bruges, lord Chandois, Oliver, lord St. John of Bletneſhoo, Thomas Sackville, lord Buckhurſt, and William Weſt, lord Delaware.

Silence being made, the letters-patents of the commiſſion were read; then a white wand was delivered to the lord Steward, by Garter king at arms, which he ſhortly after delivered to the ſerjeant at arms, who ſtood by, and held it up all the while. Then the earls and barons were called by their names, and every one made anſwer to his name.

Then ſilence was made again, and the lieutenant of the Tower was commanded to return his precept, and to bring the duke to the bar, forthwith. He was brought in, and ſir Owen Hopton ſtood on the one ſide of him, and ſir Peter Carew on the other ſide; and next by him, ſtood a man holding an axe, with the edge from the duke.

Silence being made again, the clerk of the crown ſpoke thus to the duke: "Thomas, duke "of Norfolk, late of Keningale, in the county of "Norfolk, hold up thy hand:" (which, when he had done, the clerk read the indictment with a loud voice, that is to ſay, That, in the eleventh year of queen Elizabeth, and after the duke did traiterouſly deviſe to deprive her of her crown, and to kill her, and to raiſe war againſt her, and to bring in foreign forces to invade the realm. That, whereas he knew Mary, late queen of Scotland, had claimed the diadem of England, with the title and arms thereof, yet he, without

the

the queen's knowledge, intended to marry her, and lent her a great ſum of money, contrary to the promiſe he had made under his own hand. That, whereas he knew the earls of Northumberland and Weſtmoreland, Markenfield, and others, had raiſed a rebellion againſt the queen, and were fled into Scotland; he aſſiſted them with money. That, in the thirteenth year of the queen, he by letters, requeſted aid of men from pope Pius Quintus, the profeſſed enemy of the queen, the king of Spain, and the duke of Alba, to deliver the queen of Scotland, and to reſtore popery to England. Laſtly, that he gave aid to Herris a Scot, and other enemies of the queen in Scotland.

This being read, the clerk aſked the duke, whether he was guilty of theſe crimes or no?

He required, that if it were lawful by the law, he might have a lawyer appointed him to plead his cauſe. Catlin, chief juſtice, anſwered, that it was not lawful.

The duke ſaid, "It is meet that I ſubmit myſelf to the opinion of the judges; but there may be many dark and obſcure points in this buſineſs; neither underſtood I of my arraignment till within this fourteen hours; I was kept from books; now I ſee, I am to fight for my life without weapons: yet I have heard, that a lawyer was aſſigned to Humphry Stafford in a caſe of treaſon, in the reign of Henry VII."

Dyer, chief juſtice of the Common-Pleas, anſwered, That a lawyer was aſſigned to Stafford about the privilege of the ſanctuary, from whence he was taken away by force; and, that he anſwered for himſelf without a lawyer for the treaſon.

The

The duke ſaid, "I muſt ſpeak this day for my "life, my goods, for my children; and that "which is moſt to be reſpected, for my loyalty "and honeſty, (let honour go by:) yet, let me "aſk one queſtion, Whether that the enumera-"tion of the crimes muſt be holden for true in "every part, and to which part I muſt an-"ſwer?"

Catlin ſaid, When the cauſes be true, the enumeration is alſo to be accounted true.

"I deſire to be told, ſaid the duke, whether "every ſingular thing be treaſon; for I have "heard, in the cauſe of the lord Scroope, in the "reign of Henry IV."

As he would have ſaid more, the clerk of the crown interrupted him, ſpeaking aloud; "Tho-"mas, duke of Norfolk, art thou guilty, or not "guilty?" He ſaid, Not gulty.

The clerk aſked him again, How wilt thou be "tried?"

"I commend, ſaid he, my cauſe to God and "my peers; the heinouſneſs of my crimes wound-"eth my heart; but the benignity of her majeſty, "from whom I could expect no more, doth re-"comfort me; and, I beſeech you, my lord "ſteward, that I may be dealt with according to "law; and that my memory may not be oppreſ-"ſed with the confuſed variety of things. That "I have you my peers and judges, I acknow-"ledge myſelf happy; for, unto many of your "integrity I would commit my life. I, truſting "unto mine innocency, did not fly; but yet I "cannot but ingenuouſly confeſs, that I have "tranſgreſſed againſt the queen, but in no trea-"ſon. I beſeech you let not thoſe things of "ſmaller moment be put amongſt the other of "treaſon."

Then

Then ſaid Barham, the queen's ſerjeant at law, the crimes of treaſon whereof thou art indicted, are theſe; Thou didſt deviſe to deprive the queen of her realm and of her life: thou didſt intend to marry the queen of Scotland: thou didſt ſend for foreign power to invade the realm: thou didſt aſſiſt the rebels, and didſt help the Scots, enemies to the queen.

The duke interrupted him, ſaying, "Barham, "I pray you do not aggravate the matter with "words, in objecting the marriage, and other "things, which do not amount to treaſon."

Barham, turning to the noblemen, urged the matter, ſaying, He that would marry her that claimeth the kingdom, the ſame man deſireth and ſeeketh after the kingdom; but this the duke began when he was one of the commiſſioners at York, to hear the cauſe of the queen of Scotland; at which time he was ſworn to weigh indifferently and uprightly the accuſations and defences on both ſides.

The duke ſaid, "That cauſe hath ſundry parts, "which are without the compaſs of treaſon."

The ſteward of England bid the duke not to uſe ſuch digreſſions from the purpoſe: and, when Barham ſtill urged it, with a loud voice, he acknowledged, that the queen of Scotland had claimed the realm of England as due to her, but that ſhe had given over the claim long ſince.

Barham, to the contrary, ſhewed how ſhe had not left off the claim, becauſe ſhe had not yet made a releaſe or renunciation thereof; and he accuſed the duke heinouſly, for having taught the delegates of Scotland what to ſay; and this from the confeſſion of the biſhop of Roſs.

The duke confeſſed, that Lidington propoſed the marriage to him, and that he refuſed it; and that

that he told them nothing; and requeſted, that the biſhop of Roſs might be produced before him.

Then Barham inſiſted at large upon many things which have been mentioned before, to prove that the duke aſpired to the ſovereignty; and ſtood much upon this point: What elſe could the duke propoſe to himſelf in marrying the queen of Scotland, a woman without goods, without kingdom, (her ſon being now eſtabliſhed in the realm of Scotland) but that he might get, by her means or right, the kingdom of England, and conſequently deprive the queen of her life and kingdom?

The duke ſaid, "Theſe things are far fetcht "to convince me to have imagined the depriva- "tion and deſtruction of the queen."

I will come nearer, ſaid Braham; it is not unknown that you deviſed with others, to ſurprize the tower of London, which is the chiefeſt hold of England, ſo that it neceſſarily follows, that you then compaſſed the deſtruction of the queen, ſince kingdoms cannot endure a partner.

The duke denied not, that one Hopton put into his head the ſurprizing the Tower, but that he rejected the propoſition: Why then, ſaid Braham, didſt thou aſk the earl of Pembroke's advice, who diſſuaded thee?

Barham went on, and urged him, that when the queen requeſted of the infant king of Scotland certain caſtles, and the Engliſh rebels to be delivered out of Scotland, the duke ſecretly required the Scots not to conſent thereunto. He accuſed him alſo of having attempted privily to ſteal away the queen of Scotland out of priſon; and this was after he had ſolemnly promiſed to meddle or deal with her no more.

Then

Then Candiſh was brought in witneſs againſt him; that the duke had a reſolute purpoſe to marry her; and that he aſked him, if he could draw his uncle to his ſide if queen Elizabeth died.

The duke utterly denied theſe things, and rejected his teſtimony, as that of an indigent man that was ready to depoſe any thing. Moreover, it was made appear, that the duke ſent his man to the earls of Northumberland and Weſtmoreland, to adviſe them not to riſe in rebellion, as a thing that would prove very dangerous. Alſo, the letters of the queen of Scotland were produced; wherein ſhe lamented, that Northumberland was intercepted before he was ready to riſe.

To theſe things the duke anſwered: "Theſe "reaſons do not probably prove, that he com- "paſſed the deſtruction of the queen; and that "nothing yet brought againſt him, was of any "moment, but only the teſtimony of the biſhop "of Roſs; neither was this to be received, ſince "he was a foreigner, citing the authority of Brac- "ton, the moſt learned lawyer of our land; that "he never made ſuch reckoning of Northumber- "land and Weſtmoreland, that he would put his "life into their hands; but relied and truſted ſo "much unto his innocence, that he had never ſo "much as a thought to fly."

Gerard, the queen's attorney, ſaid, It was evident, that he intended to marry the queen of Scotland to work the queen's deſtruction: that it was alſo evident, that he deliberated about invading the realm, by the letters to the pope, the king of Spain, and the duke of Alba. All his dealings with Ridolph were then well known, by the ſecret cyphers and characteriſtical notes hidden under

der the tiles of Howard-houſe; alſo by the letters (which he commanded to be burned) found in the mats in the entry of the chamber; and all theſe things may be proved out of the examinations of them who were not terrified with torments, nor attainted of treaſon.

To theſe matters the duke ſaid, "Of the conſultation of the pope and the king of Spain, I was neither author nor fautor; yea, I always diſliked them. Let them be puniſhed that committed the fault, and let them not charge me, to excuſe themſelves."

Furthermore, Gerard accuſed the duke of having talked with Ridolph of the landing of ten thouſand ſoldiers out of Flanders at Harwich, a haven in Eſſex; and this from the examination of Barker: and added, that letters were written and ſent by Ridolph to the king of Spain and the duke of Alba; to which, although the duke did not ſubſcribe, yet, that he ſent, by the advice of Roſs, Barker his ſecretary, to the Spaniſh embaſſador, to aſſure them that they were his very letters.

The duke ſaid, "My memory faileth me, neither can it call to mind ſuch intricate variety of matters. You lawyers have your brief notes, I am put to anſwer extempore. This is alſo improbable, that I ſhould deal with the pope, to whoſe religion I was always an adverſary. I had rather be pulled in pieces by horſes, than revolt from the religion I profeſs. The ſituation of Harwich doth eaſily confute all this accuſation. Who ſeeth not, how hard a matter it is to bring an army through that country, which is all encloſed, and moſt troubleſome, with narrow ways? If I had imagined to make war againſt my prince, I ſhould, doubtleſs, have furniſhed myſelf

"myſelf with armour; but, in the ſeven whole "years, I have not bought any more than eight "corſlets, and no gunpowder at all; I would "never have committed ſuch letters unto Bar-"ker's fidelity, but rather unto Baniſter, whom I "eſteemed above many Barkers."

Then the letters of the biſhop of Roſs were produced, ſent from priſon to the queen of Scotland, and intercepted; from which the former things were confirmed.

The duke deſired to ſee the letters; for he ſeemed to doubt that they were counterfeit: but the lord-ſteward ſaid, Doubt not, that they are written with Roſs's own hand. Another ſhort letter, written with oker by the duke, commanding his man to burn a bundle of letters hidden in a certain place, and to lay the fault upon Roſs, who might eaſily eſcape the law, by the privilege of an embaſſador, was alſo produced.

To theſe letters the duke ſaid, "I being certi-"fied, that it was divulged among the common "people, that I had accuſed many, I anſwered in "that ſhort letter; and, when I ſaw all places nar-"rowly ſearched, I commanded that bundle to be "burned, that I might keep many men from "trouble."

Bromley, the queen's ſollicitor, ſhewed the letters of Ridolph, wherein he ſignified, that the duke of Alba approved their deſign; and alſo the pope's letter to the duke, dated the tenth of May.

Then Wilbraham made an eloquent ſpeech concerning the credit of the teſtimonies of the biſhop of Roſs, and of the duke's ſervants.

To which the duke ſaid, "I have not the ſkill "to refel ſo poliſhed and rhetorical a ſpeech; yet "the orator, as ſkillful as he is, for all that, left

"out what the force of fear is, which oftentimes "quelleth and daunteth a good courage; and "again, he commended and urged Bracton againſt "the credit of foreign witneſſes."

Catlin, chief juſtice, made anſwer, In ſuch cauſes as theſe, the teſtimonies of foreigners are allowable, and that it was at the diſcretion of the peers to give credit to reject ſuch teſtimonies.

They then came to prove that the duke had aſſiſted the rebels after they were fled; which appeared from the letters of the counteſs of Northumberland, in which ſhe gave thanks to the duke for the money ſecretly ſent to her and her huſband.

As concerning the laſt objection, about aſſiſting the Scots, enemies to the queen, it was proved out of the duke's letters to Baniſter, out of the confeſſion of Baniſter, and the money delivered to Brown of Shrewſbury.

Here the duke aſked the judges, "Whether "the ſubjects of another prince, confederate with "the queen, may be accounted enemies to the "queen?" Catlin anſwered, They might; and that the queen of England may make war with ſome duke of France, and yet, at the ſame time, be in amity with the king of France.

When night approached, the lord ſteward aſked the duke what he had more to ſay for himſelf? He anſwered, "I put my truſt in the equity of "the laws."

The lord-ſteward commanded the lieutenant of the Tower to take the duke aſide; and then ſilence being made, he turned to thee peers, and ſaid, "You have heard how Thomas, duke of Norfolk, "hath been indicted of high-treaſon, who hath "pleaded not guilty, and put himſelf unto God "and

"and to you; therefore it is your part, to con-
"ſider among you, whether he be guilty or no,
"and to declare your opinion according to your
"conſcience, and upon your honour; and, at the
ſame time, he bid them go aſide, and conſult
with each other.

After a ſhort time, they returned to their places; then the ſteward, beginning at the low-eſt, ſaid, "My lord Delaware, is Thomas duke "of Norfolk guilty of the crimes of high treaſon, "whereof he is indicted, or not guilty?" He riſing up, and laying his hand on his breaſt, ſaid, "guilty." In like manner were they all aſked in their order.

Then the duke was brought again to the bar; unto whom the lord ſteward ſpoke in this manner: "Thomas, duke of Norfolk, thou haſt been "indicted of ſundry high treaſons, and put thy-"ſelf to be tried by God and thy peers, who have "found thee guilty; haſt thou any thing to ſay "why judgment ſhould not be given againſt thee?" he anſwered, "The will of God (who "will judge between me and my falſe accuſers) "be done."

All men now keeping ſilence, the edge of the axe was turned towards him: then Barham, for the queen, requeſted the lord ſteward to give judgment; which he (weeping) did, in theſe formal words: "Foraſmuch as thou, Thomas, duke "of Norfolk, haſt been indicted of high treaſon, "and haſt pleaded not guilty, and haſt put thy-"ſelf upon thy peers, who have found thee guil-"ty; therefore this bench doth adjudge, that "thou ſhalt be led back from hence to the Tower "(from whence thou cameſt) and from thence "laid on a hurdle, ſhalt be drawn unto the place "of execution, and there be hanged, cut down

" alive, bowelled, thy head cut off, thy body di-
" vided into four quarters, to be diſpoſed of at
" the queen's pleaſure: and ſo our Lord have
" mercy on thy ſoul."

The duke hearing this judgment, ſaid with a good courage; " Judgment is given againſt me,
" as againſt a traitor; I truſt in God, that ex-
" cluded from your fellowſhip, I ſhall enjoy the
" celeſtial fellowſhip; I will rather prepare my-
" ſelf to die; I requeſt this one thing, that the
" queen would be good to my children and ſer-
" vants, and ſee my debts paid."

A few days after, Barney and Mather were executed, who conſpired with Herle a ruffian, to kill ſome of the privy-counſellors, and to deliver the duke; but Herle preſently diſcovered the matter, to whom Barney ſaid ſmiling (when he ſaw him brought to give evidence againſt him) " Herle,
" thou wentſt but one hour before me, otherwiſe
" I had ſtood there in thy place to give evidence,
" and thou hadſt ſtood here in my place to be
" hanged."

Theſe plots, and the like, which were many, were taken hold of to haſten the duke's death, which yet was deferred for four months. But, on the ſecond day of June, at eight o'clock in the morning, the duke was led to a ſcaffold, new-built on Tower-hill; and, when he was gone up, and Alexander Nowel, dean of St. Paul's, (who was there to comfort him) had required the people to be ſilent; he ſaid, " It is no ſtrange thing
" for men to ſuffer death in this place, although
" I am the firſt ſince the queen's reign, God grant
" I may be the laſt;" the people ſaid aloud, Amen. He continued as follows: " I acknow-
" ledge, that my peers have juſtly found me guil-
" ty, neither do I purpoſe to excuſe myſelf; I do

" inge-

"ingenuouſly confeſs, that I have dealt with the "queen of Scotland in weighty and important bu-"ſineſs, without the knowledge of my queen, "which I ought not to have done; for the which "I was impriſoned. But being let out, when I "had ſubmitted myſelf, and given my word, that "I would not have any more to do with her; yet "I confeſs I have had, and that troubleth my "conſcience: but I neither promiſed, nor ſwore "it at the Lord's table (as the common report is) "I talked once with Ridolph, but nothing to the "hurt of the queen; for very many know, that I "had reckonings and accounts about money with "him upon bonds. I found him to envy the "tranquillity of England, and to be very ſharp-"witted to deviſe miſchief; I ſaw two letters from "the pope, to which I aſſented not; neither did "I, to the rebellion in the North: I was never a "papiſt; ever ſince I had any idea of religion, I "embraced the true religion, and put all my "truſt in the blood of Chriſt my Redeemer and "Saviour; yet I cannot deny, but I had ſome "ſervants and familiar friends, which were ad-"dicted unto the pope; if I have ſinned againſt "God, the church, or proteſtants therein, I hum-"bly deſire God and them to forgive me."

Then reciting a pſalm or two, he ſaid with a loud voice, "Into thy hands, O Lord, I com-"mend my ſpirit." Then he embraced Henry Lee, and whiſpered a few words in his ear, and alſo to Nowel the dean, who, turning to the peo-ple, ſaid, The duke deſireth you to pray to God, that he may have mercy upon him, and to be ſilent, that his mind may not be diſtracted. He forgave the executioner, and refuſed the nap-kin, with which he offered to cover his eyes, and ſaid, "fear not death." He kneeled awhile in

his prayers, and Nowel with him; then laying his head on the block, it was ſevered from his body at one blow, and was ſhewn to the people by the executioner.

Scarce ten days after his execution, William, lord Delaware, Ralph Sadleir, Thomas Wilſon, doctor of laws, and Thomas Bromley, the queen's ſollicitor, were ſent to the queen of Scotland, to expoſtulate criminally with her, for having uſurped the title and arms of the realm of England, and had not releaſed nor renounced them, as was agreed in the treaty of Edinburgh: for having ſought to marry the duke of Norfolk without the queen's conſent, adding that to get and obtain the ſame marriage with the better ſucceſs by force, and to deliver the duke out of priſon, ſhe had tried all means, by her agents and miniſters; that ſhe had raiſed the rebellion in the North, had relieved the rebels, after they were put to fight, in Scotland and the Low-Countries: that ſhe had made ſuit, by Ridolph the Italian, foreign aſſiſtance, from the pope, from the king of Spain, and others, to invade England: that ſhe had conſpired, with certain Engliſhmen, to take her by force out of priſon, and to proclaim her queen of England: that ſhe had received letters from the pope, wherein he promiſed to cheriſh her, as the hen does her chickens, and to account them, that ſtood for her, the true children of the church. Laſtly, that ſhe had procured the pope's bull againſt the queen, and had ſuffered herſelf to be publicly called queen of England, by her ſervants and miniſters in foreign countries.

To theſe things ſhe anſwered, with great fortitude and reſolution, (firſt proteſting, that ſhe was a free queen, and ſubject to none)

"1, That

" 1. That ſhe had not uſurped the title and " arms of England; but that the king of France, " and her huſband, impoſed them upon her, being " very young, and under the direction of her " huſband, and therefore not to be laid upon her " for a fault: neither that ſhe did wear or uſe " them after her huſband's death; neither that " ſhe will claim them as long as queen Elizabeth " and her children lived.

" 2. That ſhe never imagined any detriment " or hurt to the queen, by her marriage with the " duke of Norfolk, being perſuaded it would be " for the good of the commonwealth; and that " ſhe did not renounce it, becauſe ſhe had given " her faith and troth unto him.

" 3. That ſhe willed the duke, by ſome means, " to get away out of danger and priſon, which ſhe " did, out of the duty ſhe owed to him as her " huſband.

" 4. That ſhe had not raiſed rebellion, nor was " privy to the ſame, who was always moſt ready " to reveal any attempts againſt the queen, if ſhe " would vouchſafe to hear her ſpeak.

" 5. That ſhe never relieved the Engliſh re- " bels, only that, in her letters, ſhe commended " the counteſs of Northumberland unto the duke " of Alba.

" 6. That ſhe uſed Ridolph (whom ſhe knew to " be highly in the pope's favour) in many mat- " ters, yet received no letters from him.

" 7. That ſhe never moved any to attempt her " deliverance; yet, that ſhe willingly gave ear " unto them that offered their labour therein; " and, for that purpoſe, that ſhe communicated " unto Rolſton and Hall a private character,

"8. That ſhe had received ſometimes letters "from the pope, very pious and conſolatory, in "which were no ſuch phraſes of ſpeech.

"9. That ſhe procured not the bull: that ſhe "only ſaw the copy thereof printed, and, when "ſhe had read it over, that ſhe burned it.

"10. That if any in foreign regions write or "name her otherwiſe than they ought to do, let "them anſwer for it.

"11. That ſhe never by letters required aid of "the pope, and the king of Spain, to invade Eng-"land, but only to be reſtored into her kingdom "by their means, and that with the queen's "privity.

"12. But, if any queſtion or doubt be made of "thoſe letters of effecting the marriage by force of "arms, ſhe requeſted (ſince ſhe was borne of the "royal blood of England) that ſhe might anſwer "perſonally in the next parliament that was made "to be holden."

At this time the French king, favouring the queen of Scotland and her party, and the queen of England the king and his party) earneſtly moved queen Elizabeth to deliver the queen of Scotland, which the queen of England refuſed to do, ſaying, In very truth, I keep the queen of Scotland in cuſtody, after a fair manner, as a pledge of mine own ſecurity, and of the ſafety of England: but, when it came to light. that the queen of Scotland intended a ſecret confederacy with the king of Spain, by the lord Seton, who landing in Eſſex diſguiſed like a mariner, had promiſed aſſiſtance of men to the Scots, of the queen's party from Alba; ſhe was then kept ſtraiter in priſon, and the kindneſs of the French toward her was greatly diminiſhed.

Shortly

Shortly after, the league between England and France being concluded at Blois, and the duke of Momorancy being ſent into England to confirm the ſame; he, in a few words, in his maſter's name, requeſted, that as much favour might be ſhewed to the queen of Scotland, as could be without danger. That there might be a ceſſation of arms in Scotland, and that concord might be eſtabliſhed there by parliament.

He was anſwered, That more favour was ſhewn to the queen of Scotland than ſhe deſerved, and ſhould be ſhewn for the French king's ſake, although the ſtates of the kingdom, who were now aſſembled, thought the queen could be in no ſecurity without ſome ſeverity being uſed towards her. As for the ceſſation of arms, the queen had dealt diligently therein; and, for that purpoſe, had ſent very lately Drury, the marſhal of Berwick, with Crocus the French embaſſador; and that they, by no perſuaſions, could bring Grange and the garriſons in the caſtle of Edinburgh to peace, being induced by hope of aſſiſtance from France and the Low-Countries, though Huntley, and Hamilton Arbroth for the duke his father, had bound themſelves under their hands, to obſerve peace; and the others of the queen's party, had given their word alſo.

In Scotland, in the year 1573, James Douglas, earl of Mourton, by the means of queen Elizabeth, was made regent in the place of the earl of Mar, who, having his authority eſtabliſhed in the parliament, enacted in the king's name, certain laws, againſt the papiſts, and againſt heretics; but the cuſtody of the king, he confirmed to Alexander Areſkin; for that the earl of Mar (to whom the cuſtody of the king of Scotland, in his mino-

rity,

rity, belongs by a peculiar right) was under age, upon theſe conditions, that is to ſay, That the papiſts, and they of the other faction, ſhould be utterly excluded; an earl might come in with two men, a baron with one man, other men alone, and every one of theſe unarmed.

And whereas queen Elizabeth, by Henry Killigrew, had prevailed on James Hamilton, duke of Chaſteuleroy, George Gordon, earl of Huntley, who ſtood for the queen, to receive theſe conditions; namely, To acknowledge the religion eſtabliſhed in Scotland: to ſubmit themſelves to the king, and alſo to Mourton as his regent, and to his ſucceſſors in the government: to renounce the authority of all others: to account them traitors by authority of parliament, that attempted any thing againſt the religion, the king or regent: that the ſentence againſt the Hamiltons and Gordons ſhould be repealed, &c.

But theſe conditions, William Kircaldy, lord of Grange, the lord Hume, Lidington, and the biſhop of Dunkelden, and others, who thought the queen of Scotland treated injuriouſly, would upon no terms admit; but fortified the caſtle of Edinburgh, of which Grange was captain (placed therein by Murray) expecting aſſiſtance from France and the duke of Alba; but ſir William Drury being ſent into Scotland with forces out of England to join with the Scots, the ſame caſtle was ſurrendered on the thirty-third day of the ſiege, and ſo the caſtle, and all the priſoners were delivered to the regent, who hanged Kircaldy without mercy, ſpared Hume and others at the requeſt of queen Elizabeth; Lidington was ſent to Lieth, where he died, not without ſuſpicion of poiſon.

And

And to ſecure England from clandeſtine attempts at home (on the behalf of the queen of Scotland) John Leſly, biſhop of Roſs, who had ſerved his queen faithfully, yet with the deſtruction of many men, and danger of more, was releaſed from priſon, and commanded to quit England; whereupon he went into France, fearing Southampton, whom he had brought into trouble, and alſo Henry Howard, the duke of Norfolk's brother; to mollify whoſe anger he wrote an apology.

He was ſcarce departed, but his ſecret letter-carrier, Henry Cokin, was taken; and by him was Morgan detected, who, prompt to do ſome exploit for the queen of Scotland, forthwith fled away. Atſloe and Goad, doctors of phyſic, and Francis Berty, becauſe they had a ſecret correſpondence with her, were ſome months in priſon: and, for the ſame cauſe, Henry Goodyer, and Richard Louder, were called to an account.

In the mean while, Roſs did not neglect any duty of a moſt faithful ſubject to the queen of Scotland, towards the emperor, the pope, the French king, and the catholic princes of Germany, who every one gave good words and hopes, but yet performed nothing, and alſo the duke of Alba, in whom he put his greateſt truſt, at this time departed out of the Low-Countries, to his great grief.

Henry, the third of that name, king of France, and his mother, did all that they could by ſecret practices to get the young king of Scotland into France, and to get Mourton out of his office of regent, ſending ſecretly Scots out of the French guard for this purpoſe into Scotland; which thing the queen of Scotland deſired much, being perſuaded that, if her ſon were in France out of danger,

ger, that ſhe and the papiſts in England ſhould be dealt with more mildly. For hereupon ſhe thought it would come to paſs, that the faction in Scotland, hitherto countenanced by the authority of the king's name, would decay and come to nothing; and that the Engliſh would fear him, whether he reſided in France or Scotland: and, as much did the French with the ſame; ſecretly fearing leſt the regent of Scotland, depending wholly on the Engliſh, ſhould diſſolve the ancient league between the Scots and the French. Yet, when the regent earneſtly requeſted that a league of mutual defence between England and Scotland might be made, he was not heard; perhaps becauſe he requeſted at the ſame time that an annual penſion might be aſſigned to him, and to other Scotchmen. But they were liſtened to who faſtened a ſuſpicion upon the queen of Scotland, the counteſs and earl of Shrewſbury, as though they had endeavoured to bring about a marriage between Charles, uncle to the king of Scotland, to whom the king had lately in the parliament confirmed the earldom of Lenox, and Elizabeth Candiſh, daughter to the counteſs of Shrewſbury, by her former huſband, without the queen's knowledge: for which both their mothers were kept in priſon, and all the fault was laid upon the queen of Scotland: and, when ſeveral ſuſpicions grew concerning the intent and purpoſe of this marriage, Henry, earl of Huntingdon, was made lord-preſident of the council in the north, with new and ſecret inſtructions concerning this matter.

This year, 1575, died in Scotland the moſt noble lord James Hamilton, duke of Chaſteauleroy, and earl of Arran, who was deſcended from James, the ſecond king of Scotland, by his daughter, who had

had been the tutor of queen Mary of Scotland, and governor of the kingdom while ſhe was in her minority.

At ſuch time as he had delivered her to the French, he was made duke of Chaſteauleroy in France, then chief of the three governors of Scotland appointed by Mary in her captivity; and, in defending her cauſe, he who was entirely unacquainted with chicanery, was greatly perplexed by the practices of turbulent and evil minded people.

Don John of Auſtria, had made a perpetual edict at Gaunt, to give ſatisfaction to the ſtates of the Netherlands for their grievances; which the prince of Orange utterly condemning, opportunely heard, that Don John intended to marry the queen of Scotland; which he gladly laid hold of, and forthwith informed queen Elizabeth of it by Famier, in order to render her averſe to peace; yet ſhe, as though ſhe had been ignorant of it, by Daniel Rogers declared her joy at the perpetual edict of peace, though now ſhe had certain knowledge, that Don John, by the perſuaſion of the earl of Weſtmoreland, and the Engliſh fugitives, and the inſtance of the pope and the Guiſes, had in hope poſſeſſed himſelf of the queen and the kingdoms of England an Scotland; and had already reſolved to ſurprize the Iſle of Man in the Iriſh ſea, as a fit place to invade England out of Ireland, and the weſt borders of Scotland, in which the queen of Scotland had many zealous partizans; as alſo in the oppoſite ſide of England, North-wales, Cumberland, Lancaſhire and Cheſhire, where moſt of the inhabitants were papiſts.

But Don John, as we have learned of Perez, ſecretary to the king of Spain, when he had loſt the hope of the kingdom of Tunis, had dealt covertly with the pope about the expulſion of queen Elizabeth,

Elizabeth, the marrying of the queen of Scotland, and the conqueſt of England, and unknown to Philip, had prevailed ſo far, that the pope, as if through attachment to the common good, moved Philip to make war with England; and Don John himſelf, being ready to quit the Low-countries, had proſecuted it earneſtly in Spain; and afterwards by Eſcovedo, ſent out of the Netherlands, he had deſired to have ſome havens in Biſcay granted to him, from whence he might invade England with a navy: but Philip diſliked their intentions, and began to neglect him as one over-ambitious.

Yet queen Elizabeth did not underſtand theſe things fully till Orange informed her.

In the mean time, Don John, covertly proſecuted the marriage, and, at the ſame time, to cloak the matter, ſent to queen Elizabeth the viſcount of Gaunt, to ſhew her the conditions of the peace, and to requeſt longer days of payment for the money lent to the ſtates; which ſhe willingly granted, and dealt with him again by Wilſon, to recompence the merchants of England for the hurt ſuſtained in ſacking of Antwerp.

He eluded the matter, and, whilſt he ſeemed to attend to the perpetual edict for peace, he broke out ſuddenly into open war, and by policy got into his hands many cities and caſtles; and wrote to the king of Spain, that he thought it beſt to ſubdue and conquer the iſland of Zeland before the inland provinces: and, believing what he hoped, endeavoured to perſuade him, by his ſecretary, that England was eaſier to be conquered than Zeland.

About this time Margaret Douglas, counteſs of Lenox, niece to Henry VIII. by his eldeſt ſiſter, widow of Matthew, earl of Lenox, grandmother

to

to James, king of Great-Britain, departed this life, in the threeſcore and third year of her age, and was buried at Weſtminſter with a ſolemn funeral, at the queen's charge. She was a matron of great piety, patience and chaſtity. She had been three times impriſoned, not for treaſon, but for love affairs: firſt, when Thomas Howard, ſon to Thomas Howard, firſt duke of Norfolk, being in love with her, died in the Tower: then for the love of Henry Darnly, her ſon, to queen Mary of Scotland: laſtly, for the love of Charles, her younger ſon, to Elizabeth Candiſh, mother to Arbella; which marriage the queen of Scotland was accuſed of being privy to.

About the ſame time, the credit and authority of Mourton began to decay; inſomuch that he was removed from his office of regent, and the adminiſtration of all things delivered to the king by the common conſent of the ſtates; and, becauſe he was not paſt twelve years old, to twelve of the chief noblemen, which were named; of whom three, every three months by turns, ſhould be preſent with the king, to give him advice; and Mourton was one of them, that they might appear to abridge his power, and not to degrade him entirely.

Shortly after, Mourton truſting to his ſagacity, long experience, and many dependants and retainers, thinking nothing well done except he himſelf did it, and alſo not brooking not to be the ſame man he had been, aſſumed all the adminiſtration to himſelf, not regarding his aſſociates, and not obſerving the conſent of adminiſtration ſet down, he detained the king within the caſtle of Sterling, and ſhut out and excluded whom he pleaſed, and admitted others at his own choice.

The

The noblemen being provoked at this, made the earl of Athol their captain, and made proclamation, in the king's name, that all men above ſixteen, and under threeſcore years, ſhould meet in armour, with victuals for fifteen days.

There met very many, and, with banners diſplayed, they marched unto Fawkirk, where Mourton, with his friends, met them in armour, ready to fight: but Robert Bowes, the Engliſh embaſſador, by entreaty, and propoſing honeſt conditions, kept them from fighting; and Mourton forthwith, as weary of buſineſs, went home ſecretly; and the earl of Athol died ſoon after, not without ſuſpicion of poiſon; which the enemies of Mourton turned againſt him, and for this, and other things, they never ceaſed to perſecute him, till they had brought him to his deſtruction, as we will declare hereafter.

Queen Elizabeth, that ſhe might be more ſecure at home, purpoſed to make an accommodation with the queen of Scotland by Walter Mildmay; but finding out that Guiſe was deviſing ſome ſecret practices with ſome Engliſh fugitives, and to gather forces together, under pretence to ſend them into the Low-countries, to ſerve under the duke of Anjou, but indeed to be tranſported into England, from Ewe, an obſcure part in Normandy belonging to him, the matter was put off till another opportunity, and ſhe was not regarded.

But, about the ſame time, William Ruthen, whom the king had lately created earl of Gowry, not degenerating from his father, who bore a deadly hatred againſt the king's mother, and other conſpirators deviſed to remove Lenox and the earl of Arran from the king, under pretext of ſecuring religion,

religion, the king's ſafety, and amity of England; being excited thereto by their miniſters. So, when Lenox was departed from Perth, where the king lay, to Edinburgh, about ſome affairs of the realm, and Acran alſo was abſent; Gowry, Mar, Lindſey, and others, taking the opportunity, invited the king to the caſtle of Ruthen, where they detained him againſt his will, and would not permit him to ride or walk into the fields, threatning him with death. They put from him all his faithful ſervants, caſt the earl of Arran into priſon, and compelled the king to call home the earl of Angus, who was baniſhed; and to ſend back Lenox into France, who, being a man of a mild nature, ſurrendered the caſtle of Dunbritton, which he might eaſily have defended, by the perſuaſion of the king ſet on by them, did not refuſe to return to France: but they, not content herewith, enforced the king againſt his will to approve this his ſurprize in letters to the queen of England, and to pronounce the aſſembly of the ſtates, ſummoned and called by them, to be lawful.

When the French king heard this for a certain, he diſpatched Motfenelan by England, and Manninguil by ſea, with one and the ſame inſtructions into Scotland; namely, that they ſhould take ſome order by one means or other to ſet the king at liberty, and confirm the faction of France, to allure and win the king's mind to the friendſhip of the French; and, as joyful news, ſignify to him, that the queen his mother, out of her motherly affection, did grant and beſtow upon him the title of king, and admit him very willingly to a ſhare of the kingdom, to the end that he might be taken and acknowledged as a true and lawful king by all Chriſtian princes, and all the Scots; and thereby

the diviſion and partaking of factions wholly removed.

She, in the mean time, being troubled in mind, oppreſſed with anguiſh, and pining away with the calamity of her long laſting impriſonment, without any hope of liberty; in her long letters written in French, which her motherly love and anxiety of mind extorted, deplored to queen Elizabeth her grievous and hard fortunes, and the the moſt diſtreſſed condition of her ſon, in theſe terms:

"WHEN I heard for certain, that my ſon "was taken and ſurprized by rebels (as I myſelf "was ſome years ago) out of a juſt fear leſt he "ſhould fall into the ſame and like unfortunate "eſtate that I am in, I cannot but pour out my "mournful complaints, and engrave the ſame, if "it may be, in thy conſcience, that my innocency "may evidently appear unto poſterity; and alſo "their ignominy and ſhame, by whoſe iniquity I am "caſt into theſe miſeries.

"But, ſince the policies and cunning reaches "of theſe perſons, though wicked and lewd, have "hitherto prevailed more with thee than my juſt "complaints; let the right and juſtice now yield "and give place unto thy power, and let force "oppreſs the truth with men; I will appeal unto "the immortal God, whom alone I acknowledge "to be ſuperior of us princes of equal right and "honour: and I will call upon the ſame God, "with whom gloſſes and deceits are not regarded, "and will not prevail, that, at the laſt day, he "will reward us two as we deſerve each to other, "howſoever my adverſaries have ſkill to cloak their "crafty and deceitful policies with men, and, per-"adventure, alſo with thee.

In

" In his name therefore, and as it were before " his judgment-ſeat, I preſent unto thy mind, by " what policies ſome ſpies, uſing thy name, drew " the Scots, my ſubjects, to rebel againſt me, at " ſuch time as I lived in Scotland; and ſet on foot " all the evils which have happened there from " that day to this. Which thing, not to ſpeak of " other matters, is moſt evident and apparent, by " teſtimonies openly ſhewed, and the confeſſions " of Mourton's own mouth, who was for that cauſe " advanced unto honour; againſt whom, if I had " dealt by courſe of law, and thou hadſt not given " aid unto the rebels, they could never have ſtood " out ſo long againſt me and my friends.

" While I was detained in priſon in Lochlevin, " Nicholas Throgmorton perſuaded me, in thy " name, by ſealing letters-patents, to reſign my " kingdom, (which he affirmed would be void, " and indeed all the world accounted it void) un- " til thou, by thy favour, countenance and forces, " didſt give aid unto the beginners and procurers " of theſe letters-patents. And tell me, in good " faith, whether thou doſt acknowledge thy ſub- " jects to have any ſuch authority over thee? And " yet from thenceforth was my royal authority " taken away from me by thy counſel and help; " and my kingdom transferred unto my ſon, un- " capable thereof by reaſon of his tender years. " And when I was, not long ſince, determined " to confirm the kingdom unto him in a lawful " manner, he was taken away by force, by divers " traitors, who queſtionleſs have an intent to de- " prive him of his kingdom, as they did me, if " not to take away his life alſo.

" After I eſcaped out of Lochlevin, and was " now ready to fight and encounter with the re- " bels, I implored thy aid, ſending back that

" diamond which before time I had received from
" thee, as a token and pledge of thy love, with a
" large promiſe of aid againſt the rebels; not
" once nor twice alſo giving thy fidelity, that if I
" retired and came myſelf unto thee for ſuccour,
" thou wouldeſt come in perſon to the borders and
" give me aid. And I, truſting upon thy pro-
" miſe, freely offered myſelf, though thy ſervants
" had oftentimes deceived me, reſolved to flee for
" help unto thee, as to my laſt aſſured anchor, in
" my adverſity; and ſo had I done, if the way had
" been as open and eaſy for me, as it was for them
" that rebelled againſt me. But, before I could
" come unto thee, I was intercepted, guarded
" with keepers, ſhut up in ſtrong places, and,
" from that time until this, endured evils more
" grievous than death.

" I know thou wilt object againſt me, the
" dealings that were betwixt the duke of Norfolk
" and me; yet I do ſtill deny, that they were any
" wrong or hurt to thee, or to thy realm; for
" they were allowed by the chief counſellors of the
" realm of England, and confirmed with their
" ſubſcriptions; who alſo promiſed aſſuredly to
" obtain thy conſent. And how, I pray you,
" could ſuch great men promiſe, thy conſent unto
" that ſhould deprive thee of thy life, honour,
" and diadem? But yet thou wilt have all men to
" believe this.

" But, when many of theſe rebels did deſiſt,
" though late, and ſaw more plainly, by the con-
" ference at York, between our commiſſioners,
" how unjuſtly they dealt with me. They were
" forthwith beſieged by thy forces in the caſtle of
" Edinburgh; and, of the principal men, one
" (Lidington) was poiſoned: and the other
" (Grange) in lamentable manner hanged. And

" this

" this, after that by thy requeſt, I had cauſed " them once or twice to lay down their arms up- " on a hope of peace, which God knoweth whether " my adverſaries ever imagined to keep.

" From that time I was reſolved to try whether " I could mollify rigor by patience, in ſuffering " whatſoever they impoſed on me a priſoner; yet " I was utterly barred from all conference with " my ſon by letters or meſſengers, for this whole " year paſt, that the ſon might be disjoined by this " moſt lamentable disjunction from the mother, if " it might be.

" I have oftentimes ſet down and propoſed con- " ditions of a peace and concord to be made be- " tween us, as at Chatiſworth eleven years ſince, " with the commiſſioners, and with thyſelf by the " embaſſadors of the moſt Chriſtian king, and by " mine own. I dealt alſo ſincerely with Beale, the " laſt winter; but thoſe conditions were always " rejected, and delays made and interpoſed, my " wholeſome advices and counſels were ſuſpected, " and all the motions of my ſincere mind con- " demned and diſallowed. Neither did I reap " any other fruit of my long-laſting patience, " than, that it grew to a ſettled cuſtom for me to " be more rigorouſly uſed every day than other; " not as a priſoner, but even as a kitchen-maid. " Aſſuredly, I cannot endure theſe things any " longer, and, hap what hap, will, if I die, I will " make the procurers and cauſers of my death to " be known; but, if I live, I ſhall find means, I " hope, that all theſe wicked attempts and ſlander- " ous calumniations againſt me, ſhall die, that I " may ſpend the reſt of my life in more tran- " quility.

" Wherefore, to take away all diſpleaſure and " hatred between us, let the teſtimonies of the " Spaniards, who were lately taken in Ireland, be

" ſhewed; let the examination of the jeſuits be " produced; let any body have liberty to accuſe " me publicly; yet ſo that, in like manner, I may " have liberty to defend myſelf, and that I be not " condemned unheard. Malefactors, and perſons " of the baſeſt ſort and condition, are admitted to " ſpeak and defend themſelves, and their accuſers " are brought before their face. Why am not I ſo " uſed and dealt withall, who am a queen an- " nointed, and thy next couſin, and the lawful heir " of the crown after thee?

" But this laſt thing is the matter which chiefly " vexeth and ſtingeth my adverſaries, which ſtudy " to keep us ſtill enemies and at contention. Alas, " there is no cauſe why this ſhould vex them. I " take God to witneſs, and upon mine honour, I " have thought of no other kingdom this long " time, but only the celeſtial kingdom. Yet thou " art bound in conſcience, and tied, both by duty " and juſtice, not to trouble or croſs the moſt aſ- " ſured right of my ſon after my death, nor to " further their ſecret combinations who, as well " in England as in Scotland, do apply all their wit " and power to work the deſtruction of me and my " ſon; which is evident and apparent by the in- " ſtructions of thy meſſengers in Scotland, who " uſed and behaved themſelves moſt ſeditiouſly, " doubtleſs without thy knowledge, but Hunting- " don being wonderful eager and diligent therein.

" Is this juſt and right, that I, a mother, ſhall " be forbidden, not only to give counſel and ad- " vice to my oppreſſed ſon, but alſo to underſtand " in what diſtreſſed eſtate he is? If they had been " ſent for my ſon's good, perhaps if they had " taken mine advice with them, they ſhould have " been, for that cauſe, the more welcome unto him. " Verily thou hadſt tied and bound me unto thee

" more

" more ſtrictly, and thou hadſt no cauſe ſo much " to conceal their going thither, or to take away, " at that very time, from me all my liberty. Yet, " that I may ſpeak freely, I deſire thee not to uſe " ſuch agents any more in the Scottiſh affairs: " for, although I believe that Cary (Hunſdon) " will not do, or take any thing in hand, which " may be a blemiſh to himſelf or his honour, yet I " cannot hope of any good to come from Hun- " tingdon, for his evil deſerts towards me.

" Therefore I earneſtly requeſt thee, by the " moſt near alliance of blood that is between us, " that thou wouldſt ſeriouſly have regard to the " ſafety of my ſon, and not to intermeddle any more " with the affairs of Scotland, without the privity " of me or the French king; and, that thou " wouldſt account them who, by force, keep my " ſon in priſon, and compel him to do what they " liſt, none other but traitors.

" Moreover, I heartily requeſt thee, by the " croſs and paſſion of Chriſt our redeemer, that I, " being, upon honeſt and reaſonable conditions, " reſtored to liberty, may ſomewhat recomfort " my languiſhing body, for the ſmall time of my " life that remaineth, in ſome place out of Eng- " land, after this long-laſting and loathſome im- " priſonment. In ſo doing, thou ſhalt ever bind " me and my friends, and eſpecially my ſon, unto " thee. Which I will never ceaſe, with importu- " nate requeſt, to demand at thy hands, until thou " doſt yield and conſent thereunto.

" My body diſeaſed, and ſubject to infirmity, " compelleth me to be ſo earneſt. I pray thee, " therefore, cauſe me to be uſed with more huma- " nity, otherwiſe I cannot endure it, I tell thee in " plain terms: and poſt me not over to be uſed at " the pleaſure of any other, but at thy diſpoſition.

" Whatſoever good or evil things happen unto me
" hereafter, I will attribute and aſcribe it only to
" thyſelf. Shew me this favour, that I may under-
" ſtand thy pleaſure from thyſelf by a letter, be it
" never ſo ſhort, or by the French embaſſador.

" I cannot be ſatisfied in thoſe things which
" Shrewſbury doth ſignify unto me, foraſmuch as
" they may every day be altered. When I wrote
" very lately unto thy counſellors, thou didſt com-
" mand that I ſhould acquaint thee only with my
" affairs (but it was not juſt to give them ſo great
" authority to afflict and vex me) yet I cannot
" but fear, that many of them that be my deadly
" adverſaries, have procured this, leſt the reſt,
" after they ſhall have heard my moſt juſt com-
" plaint, ſhould oppoſe themſelves, as well in re-
" ſpect of thy honour, as of their duty to thee.

" Now reſteth my moſt inſtant and important
" ſuit, that I, thinking only of the life to come,
" may have ſome reverend catholic prieſt, to direct
" me in my religion, for the ſalvation of my ſoul.
" This laſt office is not to be denied unto poor
" wretches of the baſeſt and meaneſt eſtate. Thou
" doſt permit unto the embaſſadors of foreign
" princes the exerciſe of their religion, and I vo-
" luntarily permitted it to my ſubjects that were of
" a contrary religion. If this be denied unto me,
" I hope I ſhall be excuſed before God; but I fear
" mine adverſaries ſhall not eſcape without pu-
" niſhment. Aſſuredly it will be a preſident unto
" other princes of Chriſtendom, to ſhew the like
" ſeverity againſt their ſubjects that be in religion
" contrary unto them, if this ſeverity be uſed to-
" wards me, a free and abſolute princeſs, and thy
" neareſt couſin; for ſo I am, and will be ſo to
" thee whilſt I live, in ſpite of mine adverſaries,
" let them ſtomach it ever ſo much. I deſire not

" to

" to have my family increaſed, but I requeſt to
" have only two maids, which are neceſſary and
" needful to me in this my weakneſs and ſickneſs
" of body. And let not my adverſaries fulfil their
" cruel minds altogether againſt me, in barring
" me of ſo ſmall a curteſy.

" Whereas I am ſecretly accuſed by Shrewſbury
" that I have privily, and without thy know-
" ledge, practiſed to transfer my right in Scotland
" unto my ſon, contrary to my promiſe made unto
" Beale: I deſire thee not to give credit unto the
" ſuggeſtions of Beale; I promiſed nothing but
" under certain conditions, to which I am not
" bound, except they be performed by thee.
" From that time hitherto I have received no an-
" ſwer; and there is not a word ſpoken of them;
" but yet the practices in Scotland to deſtroy me
" and my ſon have not ceaſed.

" That long-laſting ſilence I cannot interpret to
" be any other thing but a plain repulſe and de-
" nial; and ſo I ſignified by my letters to thee, and
" to thy counſellors. Thoſe things which the
" French king and his mother imparted unto me,
" I alſo ſincerely imparted unto thee, and aſked thy
" advice in them; but I heard not a word from
" thee again. I never had ſo much as a thought
" to ſubmit myſelf unto thy counſel about mine
" affairs and my country, before I knew what it
" ſhould be; for it might ſeem a meer folly ſo
" to do.

" How my adverſaries in Scotland do triumph
" over me and my impriſoned ſon, thou art not
" ignorant; I attempted nothing there that may
" be hurtful unto me, but only to procure a firm
" peace in that kingdom, which is more to be re-
" ſpected by me than by thy counſellors: foraſ-
" much as I have more intereſt therein than they.

" I ear-

" I earneſtly, and from my heart, deſired to be-
" ſtow, and confirm unto my ſon the title of a
" king, and therewithall to bury in the earth all
" diſcords and diſſentions. Is not this to pull the
" diadem from my ſon's head? But, indeed,
" mine adverſaries would not have it confirmed
" unto my family. This is the thing they envy,
" when their conſcience beareth witneſs againſt
" them; and, being guilty of evil, they fear miſ-
" chief will befall them.

" Let not theſe, and other, mine adverſaries,
" ſo blind thine eyes, and in thy life and ſight
" procure the death of thy next kindred, and bring
" to confuſion both the crowns; for to that intent
" do they invent miſchief againſt me, againſt my
" ſon, and perhaps thyſelf alſo. Can it be any
" good or honour unto thee, that I and my ſon
" ſhould be ſecluded by their means and practices,
" and we two between ourſelves ſo long?
" Remember thy inbred lenity; bind thyſelf unto
" thyſelf; and being, as thou art, a princeſs, by
" thy placability mollify thy mind, and abandon
" all diſpleaſure and hatred towards me a princeſs,
" thy neareſt couſin, and one that loveth thee moſt
" dearly; that all our affairs being lovingly com-
" pounded between us, I may depart out of this
" life, and the ſobs and ſighs of my diſtreſſed ſoul
" may not penetrate unto God; unto whoſe hea-
" venly majeſty I offer my continual prayers, that
" my juſt complaints and dolorous lamentations
" may now at laſt find way unto thee.

" From Sheffield, the eight day of Novem-
" ber, 1582.

" Veſtre treſdeſoleé plus proche parente & af-
" fectionate ſeure,

" MARIE R."

With theſe letters queen Elizabeth was greatly moved and diſquieted, and ſent to the queen of Scotland Robert Beale, one of the clerks of the council, a rude impolite man, to expoſtulate with her for her letters of complaint, and to treat of her deliverance jointly with the earl of Shrewſbury; foraſmuch as ſhe had of late, in other letters, requeſted queen Elizabeth, that ſhe might, after this time, upon ſecurity to be given to queen Elizabeth, enjoy her liberty, and be joined with her ſon in the government of Scotland.

This ſubject was ſeriouſly deliberated upon by the council of England, and moſt of them were willing that ſhe ſhould be delivered upon theſe conditions: namely,

1. THAT ſhe and her ſon ſhould promiſe to practiſe nothing hurtful to queen Elizabeth and the realm of England.

2. That ſhe ſhould voluntarily confeſs, that whatſoever was done by Francis II. the French king, her huſband, againſt queen Elizabeth, was done againſt her will; and, that ſhe ſhould utterly diſallow the ſame as unjuſt, by confirming the treaty of Edinburgh.

3. That ſhe ſhould condemn all the practices ever ſince that time, and ingenuouſly renounce them.

4. She ſhould bind herſelf not to practiſe any thing, directly or indirectly, againſt the realm of England, in eccleſiaſtical or civil affairs; but, by all manner of means, oppoſe herſelf and reſiſt ſuch practiſers as public enemies.

5. That ſhe ſhall challenge, or claim, no right unto herſelf in the kingdom of England, during the life of queen Elizabeth; and, that afterward ſhe

ſhe will ſubmit her right of ſucceſſion unto the ſtates of England.

6. And, to the end ſhe may not hereafter uſe any cavil, and ſay, That ſhe condeſcended to theſe conditions, being a priſoner and by coaction, ſhe herſelf ſhould not only ſwear unto them, but alſo procure the ſtates of Scotland to confirm them by public authority.

7. The king himſelf alſo ſhould ratify them by oath and by writing.

8. And that hoſtages ſhould be given.

As for ſharing with her ſon the adminiſtration of affairs, it was thought fit that the queen of England ſhould not interpoſe herſelf; but this they referred to the king, and the ſtates of Scotland. But, if they were aſſiſted in the government, that they ſhould treat about the league with them jointly, if not, with each ſeparately.

Theſe things were conſulted of, but without ſucceſs; for the Scots of the Engliſh faction, utterly rejected them, exclaiming loudly, that many Scots, inveterate enemies to the Engliſh nation, were called out of France by the counſel of the queen of Scotland: and that Holt, an Engliſh jeſuit, was ſent ſecretly into Scotland, to prepare for invading England.

The French embaſſadors, who went into Scotland, not obtaining what they came for, departed; whereupon the noblemen that had ſurprized the king, were greatly elated, and ſtill more, becauſe Lenox died at the time, which increaſed their ſecurity; however, the king, contrary to their expectation, diſdaining to be under the government of three earls, recovered his liberty, and went to the caſtle of St. Andrews; and, with good words, requeſted

requeſted many of the ſurprizers to depart from the court, to avoid any ſtir, and promiſed them pardon, if they would aſk it within a certain time, which was done by Gowry alone: he likewiſe recalled Arran to court; but they were ſo far from doing that, that they ſecretly practiſed to take him ſuddenly again. Hereupon they were commanded to quit the realm on a day appointed; Mar, Glamis, the commendators of Dryburg, and Paſlet, and others, went to Ireland, Boyd, Zeſter-Weim, and Lochlevin went into the Low-Countries, and Dunfermellin went to France; Angus was confined in Angus; only Gowry, having a new plot in his head, tarried after the time prefixed, to his own deſtruction.

And then, the king, to ſhew himſelf a prince, began to exerciſe his regal authority. And, whereas theſe conſpirators, in an aſſembly called, by their own private authority, had enacted and recorded: that this ſurprize of the king was juſt; he, on the other hand declared, in a great aſſembly of the ſtates, that it was traiterous; although the miniſters, as if they were the ſupreme judges in the realm, in a ſynod called by their own authority, pronounced it to be juſt, and judged all them that did not approve and allow the ſame, worthy of excommunication.

In the beginning of the Spring, ſome of the Scots returned from Ireland, upon an agreement made between them and Gowry, who had conſpired again with ſeveral, to take the king a ſecond time; profeſſing, that they had nothing in view but the glory of God, the truth of religion, the ſecurity of the king and realm, and the friendſhip of England, againſt them who, by ſiniſter means, as they gave out, abuſed the king, not yet come to ſufficient age. But the king, hearing

of

of their deſign, ſent colonel Stewart to apprehend Gowry, who lay at the haven of Dondee, as if he was preparing to go out of the kingdom; and, after he had defended himſelf an hour or two in his houſe, he was taken and carried into priſon.

In the mean time, the other conſpirators took Sterling by ſurprize, and the caſtle was ſurrendered to them; but ſoon after they quitted both, becauſe the king diſplayed his banners, as ready to engage, and their hope of aſſiſtance from the Engliſh failed them, and ſo Mar, Glamis, and Angus, who were come to them, and others fled into England, humbly beſeeching the queen to relieve their neceſſities, and to intercede with the king for them; ſince they had loſt all their fortunes and the king's favour, for ſhewing their love to her and England, ſhe thought it adviſeable to ſhew them ſome favour, that they might be oppoſed to the adverſe faction in Scotland; and the rather, becauſe the miniſters ſpread a report, that the king was upon the point of forſaking his religion, upon no other ground, but becauſe he, through a filial piety, inclined to his mother, and received into his ſpecial favour and grace, thoſe whom he knew to be moſt devoted to her.

In the mean time Gowry was arraigned before his peers at Sterling, upon theſe points: That he intended and began a new conſpiracy againſt the king, whom he had alſo kept priſoner in his houſe before: that he conſulted by night, with the ſervants of Angus, to ſeize upon Perth and Sterling: that he had reſiſted the king's authority at Dundee: had formed a conſpiracy againſt the life of the king and his mother. Laſtly, that he had aſked advice of Maclina the witch; and, being found guilty by his peers, he was in the evening beheaded;

ed; but his ſervants ſowing the head to the body, buried it without delay.

About the ſame time were ſome practices in England, but with no ſucceſs, in behalf of the queen of Scotland; the chief of which was that of Francis Throgmorton, eldeſt ſon to John Throgmorton, juſtice of Cheſter, who fell under ſuſpicion on account of his letters to the queen of Scotland, which were intercepted.

As ſoon as he was taken, and began to make ſome confeſſions, Thomas, lord Paget, and Charles Arundel, a courtier, immediately fled the kingdom, and went to France, and with other papiſts, lamenting their misfortunes among themſelves, complained, that the queen, by the wicked and crafty dealings of Leiceſter and Walſingham, was alienated from them: that they were abuſed and loaded with reproaches: that ſtrange kinds of ſubtlety were invented againſt them: that ſecret ſnares were ſo cunningly laid, that whether they would or no, they ſhould be brought within the compaſs of treaſon; and that they had no hope of ſafety at home. And, to ſay the truth, very crafty devices were uſed to ſound men's minds; counterfeit letters under the names of the queen of Scotland, and the fugitives privately ſent and left in the houſes of papiſts, ſpies diſperſed in every place, to hearken to reports, and to take advantage of words: ſlanderers, whatſoever information they brought, were received and entertained; many were examined upon ſuſpicion; and, amongſt them, Henry, earl of Northumberland, and his ſon Philip, earl of Arundel, commanded to keep his houſe, and his wife delivered into the keeping of Thomas Sherley; William Howard, brother to the earl, and Henry Howard, their uncle, brother to the duke of Norfolk, often

examined

examined concerning letters from the queen of Scotland, from Charles Paget, &c. who eſcaped very narrowly for all his prudence and innocence.

The lord Paget, and Charles Arundel being arrived in France, were watched and obſerved by Edward Stafford, the queen's embaſſador at the court of France; but yet he could not diſcover their purpoſes and practices. Yet he dealt with the French king, that they, Morgan, and other Engliſhmen, who plotted againſt their prince and country, might be removed from France.

He was anſwered, "If they practiſed any thing "in France, that the king would puniſh them ac- "cording to the law; that the king could not "take cognizance of any thing they had plotted "in England. That all kingdoms are open to "them that fly thither for ſuccour, that it is in- "cumbent upon all kings, every one to defend "and maintain the liberties of his kingdom; and "that queen Elizabeth, not long ſince, had receiv- "ed into her kingdom, Montgomery, the prince "of Condé, and other Frenchmen; and that, at "that very time, the embaſſador of the king of "Navarre, who was engaged in ſome plots re- "ſided in England."

About the time that theſe things were done, Bernardino de Mendoza, embaſſador for the king of Spain in England, paſſed in great ſecreſy into France, fretting and fuming as if he had been driven violently out of England, and the right of an embaſſador thereby violated, when he himſelf, being a man of a violent and turbulent ſpirit, making the ſacred right of an embaſſage ſubſervient to treaſon, was to be purſued, as many were of opinion, with the ancient ſeverity, with fire and ſword, and commanded to quit the kingdom;

dom; for he was acceſſary to the wicked plots of Throgmorton and others, to bring in foreign power into England, and to diſpoſſeſs the queen. And, when he was mildly reproved for thoſe things, he was ſo far from wiping the objections away with a modeſt anſwer, that he, in his turn, upbraided the queen and her counſellors with their detention of the money of the Genoeſe, with the ſuccours given to the ſtates of the Netherlands, the duke of Anjou, and don Antonio, the Portugal, and with the piracies and depredations of Drake.

But, leſt the king of Spain, in taking this revenge upon Mendoza, ſhould think the right of an embaſſador violated, William Wade, clerk of the council, was ſent into Spain, fully to inform him how badly he had diſcharged the office of an embaſſador, and, at the ſame time, to ſignify (leſt the queen, in ſending him away, might be thought to renounce the friendſhip of Spain) that all kind and friendly offices ſhould be done on her part, if he ſent any other as his embaſſador, who was deſirous and willing to maintain the friendſhip between them, upon condition, that the ſame favour might be ſhewn to her embaſſador in Spain. But, when the king of Spain would not vouchſafe to admit Wade into his preſence, but referred him to his counſellors; he highly reſenting this, declared openly, that it was a moſt uſual and received cuſtom, that embaſſadors ſhould be admitted to the preſence of princes, even by their enemies, and in the time of the moſt dangerous wars: and, that Charles V, the emperor, father to the king of Spain, admitted to his preſence the herald, who, from the French king, denounced war againſt him, and, in plain terms, refuſed the counſellors with his errand. And, when Idiaques, ſecretary

to the king of Spain, could by no policy get out of him what his meſſage was; at laſt, he received a full information of the whole from Mendoza, who lurked ſecretly in France.

Then he, laying aſide his public character, in a familiar way, ſignified to Wade, that he was very ſorry that there were ſome, who underhand laboured to break the amity, and to foment diſcord between the princes, that the injury was done to the catholic king himſelf, not to his embaſſadors, firſt, to Deſpes, and now to Mendoza; and that there was no reaſon why he ſhould accuſe Mendoza any farther to the king, and, he was ſufficiently diſgraced, by being ignominiouſly turned out of England, or complain, that he was not admitted. And, that the catholic king did but retaliate, ſince Mendoza had been diſmiſſed without audience; and, as ſhe had referred Mendoza to her counſellors, ſo the king in like manner, referred him to the cardinal Granvellan.

When Ward anſwered, that there was a great difference between him who had never offended the catholic king, and Mendoza, who had offended grievouſly againſt the queen for a long time, not vouchſafing to come near her, and having committed things unfitting an embaſſador; yet he could not be admitted; and not being heard, he returned home.

Moſt of the crimes which he was to object againſt Mendoza, were taken out of the confeſſion of Throgmorton; who, being ready to be apprehended, had ſecretly ſent a deſk, wherein his ſecrets lay, to Mendoza. His other deſk being narrowly ſearched, there were found two rolls or liſts; in one of the which were the names of the havens of England, which were fit to land forces; in the other, the names of the noblemen and gentlemen

of

of England who profeſſed the Roman Catholic religion, were ſet down.

As ſoon as he ſaw them brought out, and ſhewn to him, he cried out ſeveral times, that he never ſaw them before; and that they were foiſted in to work his deſtruction; and this even when he was examined upon the rack: but, laid again upon the rack, he did not refuſe to anſwer to their interrogatories.

Being aſked about thoſe rolls or catalogues, and for what purpoſe they were written, he made this hiſtorical narration: "That he, a few years ſince, "going to the waters at the Spaw, did conſult and "deviſe with Jenny and Francis Inglefield, how "England might be invaded, and the form of "government thereof altered and changed, and "upon that reaſon, that he ſet down the names "of the havens and of the noblemen.

"That Morgan, by his letters, had ſignified "unto him out of France, that the Catholic "princes had now conſulted and determined, that "England, ſhould be invaded, and the queen of "Scotland delivered under the conduct of Guiſe "as general, who wanted nothing but money "and ſome bands of men in England to join with "him to his help.

"To procure theſe things, that Charles Paget, "under the counterfeit name of Mope, was ſent "ſecretly into Suſſex, where the duke of Guiſe "determined to land his army.

"That he acquainted Mendoza, who had no-"tice and knowledge of theſe things already by "the conſpirators, with the matter, and told him "the names of the havens and noblemen. Nei-"ther did he denie, that he promiſed his further-"ance, and withal, to have admoniſhed Mendoza "with what noblemen, he being a public perſon,

" ſhould treat of this matter, which he, being a " private man, could not do without great dan- " ger: and that he ſhewed a way to him how " ſome principal catholics, as ſoon as the foreign " forces were landed, might levy ſoldiers in the " queen's name, and then to join them to the fo- " reign forces."

Theſe things he voluntarily confeſſed; yet, at the bar in Guildhall, being accuſed of theſe things, he poſitively denied every one of them, and affirmed, that they were mere inventions, to avoid the torment of the rack; and openly accuſed the queen of cruelty, and the examiners of falſhood, endeavouring to ſave himſelf, by alledging the ſpace of time, which was between the fault committed and the judgment.

Foraſmuch, as in the thirteenth year of queen Elizabeth, certain things were made treaſons; for the which none ſhould be arraigned, except the delinquent were indicted within ſix months after the fault committed; and the crime was proved by the teſtimony and oath of two men, or by the voluntary confeſſion of the offender, without violence; and that this time was expired long ſince; and that therefore he was not to be arraigned for the ſame.

But the judges told him, that the crimes objected to him, were not of that kind, but that he was obnoxious to the law, by an ancient law of treaſon made in the time of king Edward III, which admitteth no circumſcription of time or proof; and that, by that law, the ſentence of death was pronounced againſt him.

Being afterwards perſuaded, he threw himſelf upon the clemency of the queen, and again confeſſed, in a writing more fully, all things which

he

he had ſaid before; he would, however, have retracted a ſecond time at the gallows, but in vain.

Mr. Wade, being returned from Spain, was ſent to the queen of Scotland, about a treaty in agitation between her and ſir Walter Mildmay, which was propoſed two years ſince, and interrupted, as was ſaid before: ſhe boaſted to Wade, with great proteſtations, with what ſincerity ſhe had dealt about this treaty, and withall devoted herſelf, and all her labour, to the queen, and promiſed to depend wholly on her, if only ſhe would vouchſafe her ſo much love and honour.

Moreover, ſhe firmly promiſed, that, if the treaty was concluded, ſhe would endeavour to prevail on her ſon to take Angus, and the other Scotch noblemen into favour; and, alſo, that the biſhops of Roſs and Glaſgow, her agents and miniſters in France, ſhould not plot any thing againſt the queen and kingdom of England, and that ſhe would have nothing to do with the rebels or fugitives of England.

Queen Elizabeth was glad to receive this intelligence; and, whereas that Angus, Mar, J. Hamilton and Glamys were fled into England; and, making uſe of the opportunity offered, ſent Beale to the queen of Scotland, who, together with the earl of Shrewſbury, were to repreſent to her, that if ſhe continued in the ſame mind with which ſhe had acquainted maſter Wade, that Mildmay ſhould come to her directly, and treat with her about her liberty, and ſhould, at the ſame time, endeavour to perſuade her to intreat her ſon the king to reſtore the Scotch fugitives; and to tell her that they had committed no fault againſt the king, but againſt ſome violent counſellors, who gave him bad counſel: and, laſtly, that as they

ſhould do their utmoſt to get out of her the practices of the Guiſes.

She being a wiſe woman, anſwered, "That ſhe "much deſired that the treaty might go forward; "and that ſhe requeſted earneſtly of queen Eli- "zabeth as of her eldeſt ſiſter, unto whom ſhe "gave all honour.

"That ſhe had propounded nothing unto Mr. "Wade, but upon condition; and that he, whom "ſhe thought to be an honeſt man, would ſay "otherwiſe.

"For the reſtoring of the Scots, that her labour "therein would be very neceſſary, and ſhould not "be wanting, if ſhe certainly knew any good "would redound to herſelf and her ſon; ſo that "they would humbly ſubmit themſelves unto the "king, and be obedient unto him; but, if that "were not done, that then the queen ſhould give aid "unto her ſon, that they might be reduced to their "obedience. Moreover, ſhe did not cloak nor hide "it: that ſhe, when ſhe was ſickly, committed "herſelf and her ſon unto the care and truſt of the "Guiſe, her moſt dear couſin; of whoſe pur- "poſes or intents ſhe knew nothing, neither "would ſhe diſcover them, if ſhe knew them, "unleſs a firm aſſurance were given her of her li- "berty; for, that it was the part of an unadviſed "perſon to forſake her aſſured friends for an un- "certain hope.

"She requeſted, that ſhe, being an abſolute "prince, might be no more diſhonourably uſed, "than Queen Mary did ſome time deal with her- "ſelf, being at that time her ſubject, and im- "priſoned; or, than the French king did uſe the "king of Navarre, being alſo his ſubject, and "bore arms againſt him.

"She

"She alſo requeſted, that the treaty might be "brought to an end before any in Scotland were "ſent embaſſador about that matter. And, for that "the French king had acknowledged her ordinary "embaſſador, and Seton ſent by her ſon to France, "as embaſſadors from princes of the ſame authori-"ty, and conjoined, ſhe gave that honour to the "queen, to publiſh this aſſociation of her and "her ſon in Scotland, and beſought her not to "prejudicate the ſame."

Theſe things were heard, but by terrors objected; ſhifted off and fruſtrated by thoſe means, who knew how to nouriſh the hatred between the women, who bore no inward good-will to each other, eſpecially by the diſcovery of the papers, which Chreycton, a Scotch jeſuit, ſailing into Scotland, and intercepted by ſome ſea rovers of Holland, tore in pieces; but the torn papers caſt out of the ſhip, were caſt again into the ſhip by a contrary wind, not without a miracle, as Creycton himſelf ſaid, and glewed together by the great labour and extraordinary ſkill of Wade; theſe diſcovered new plots of the pope, of the king of Spain, and of the Guiſes, about the invading of England.

Therefore, to defeat the wicked counſels and ſecret policies of ſeditious perſons, and to provide for the queen's ſafety, upon which both the kingdom and religion depended. Many men, Leiceſter ſetting the firſt example, of all conditions in England, out of common charity, bound themſelves in a certain aſſociation, with their mutual oaths, ſubſcriptions, and ſeals, to exert themſelvess to their utmoſt againſt all who attempted any thing againſt the queen.

The queen of Scotland, who readily underſtood that this was levell'd at her, weary of her

long miſery, and fearing worſe things, propoſed theſe things to the queen and her counſellors, by Navus her ſecretary.

" If her liberty might be granted, and that ſhe " might be aſſured of the ſincere mind and love of " queen Elizabeth, that ſhe would bind herſelf in a " moſt ſtrict league of amity with the queen, moſt " dutifully honour and obſerve her before all other " Chriſtian princes, forget all offences paſt, ac- " knowledge her the true and moſt rightful queen " of England; and that ſhe would not challenge, " during her life, any right unto the crown of " England, nor practiſe any thing againſt her, di- " rectly or indirectly: and utterly to renounce the " title and arms of England, which ſhe had uſed " by the commandment of Francis her huſband; " and alſo unto the bull of the pope, about her de- " poſition and deprivation: yea, and alſo enter " into that aſſociation, for the ſecurity of the " queen; and into a defenſive league (ſaving the " ancient league between France and Scotland) " yet ſo, that nothing be done in the life of the " queen, or after her death, which may be hurt- " ful unto her her ſon, and their heirs in ſuc- " ceſſion, before they be heard in the aſſembly of " the ſtates of England.

" For more aſſurance of theſe things, that ſhe " will remain as an hoſtage in England; and, if " ſhe may have leave to depart out of England, " that ſhe will give pledges.

" Moreover, that ſhe will alter nothing in Scot- " land, ſo that the exerciſe of her religion be per- " mitted only to her and her family.

" That ſhe will for ever forget all the wrongs " done her in Scotland, (but yet under that con- " dition, that the things publiſhed to her prejudice " may be repealed.)

" That

"That ſhe will commend unto the king coun-
"ſellors which were deſirous to keep peace with
"England; and would reconcile unto him as much
"as lay in her the noblemen that were fled into
"England, if they would humbly acknowledge
"their fault; and, that the queen gave her word
"to give aid unto the king againſt them, if at any
"time they fell, or departed from their obedi-
"ence.

"That ſhe would do nothing about her ſon's
"marriage without the privity of the queen;
"and that ſhe would not do any thing without
"the privity of her ſon: ſo ſhe requeſted, that
"her ſon might be joined in this treaty, whereby
"it might be made more ſtrong.

"She doubted not, but that the king of France
"would be contented, and bind himſelf by pro-
"miſe, together with the princes of the houſe of
"Lorrain, for the performance of theſe agree-
"ments."

She alſo deſired that theſe things might be an-ſwered with ſpeed, leſt any thing might happen in the mean while to hinder it.

Laſtly, ſhe earneſtly deſired that ſhe might be favoured with more liberty, that thereby the love of the queen might appear more evidently to her.

As theſe things ſeemed highly honourable to her, queen Elizabeth appeared to rejoice; and it was then thought ſhe was inclined to deliver her; although there were ſome in England who, ſetting new fears before her eyes, diſſuaded her from it. But the matter being well purſued, and in a manner concluded, was moſt of all obſtructed by the Scots of the oppoſite faction, who exclaimed, that queen Elizabeth was utterly undone, if ſhe were delivered out of priſon; and both the realms would be undone, if ſhe were joined with her ſon in

in the kingdom of Scotland, and if the exerciſe of the Roman religion were permitted to her, even in her court.

And ſome of the miniſters in Scotland, from their pulpits, and in their meetings, railed bitterly at their queen: they ſpoke ill of the king and his counſellors; and, being commanded to appear in perſon, obſtinately and contemptuouſly refuſed to do ſo, as if the pulpits were exempted from the king's authority, and eccleſiaſtical perſons not ſubject to the king, but to the preſbytery; directly againſt the laws made this year in the aſſembly of the ſtates; in the which, the king's authority over all perſons, both eccleſiaſtics and the laity, was confirmed for ever: viz. That the king and his counſellors are competent judges in all cauſes; and they who refuſe to obey the ſame, are to be accounted traitors.

The aſſemblies of preſbyteries, as alſo thoſe of the laity, as well general as particular, were prohibited, as having arrogated, without the king's privity, boundleſs authority, meeting together when they thought proper, and preſcribing laws to the king and to all the realm. And alſo the popular equality of miniſters was abrogated, and their dignity and juriſdiction reſtored to the biſhops, whoſe vocation the preſbyteries had condemned as antechriſtian. And the infamous writings againſt the king, his mother, and counſellors, were prohibited; and, in particular, the hiſtory of George Buchanan, and his dialogue, "De jure regni apud Scotos," containing many things which ſhould be buried in eternal oblivion.

Many cenſured Patrick Grey, the Scotch embaſſador in England, as if he, won by bribes, had uttered many things to the prejudice of the king

and

and his mother, and had prevented theſe moſt equitable conditions propoſed by the king's mother, and ſent by Navus, from being admitted.

Upon this, queen Mary loſing all patience, fell into a great ſorrow and indignation, and ſo ſtrong was her deſire of liberty, that ſhe liſtened to the treacherous advice of her enemies, as to the pernicious devices of her friends: and ſo much the more, becauſe ſhe was perſuaded, that the aſſociation was made to endanger her life; ſhe likewiſe had received ſome intimation, that, by the policy of ſome men, ſhe was to be taken away from the keeping of the earl of Shrewſbury, who being an upright man, did not favour their plots) and to be committed to new keepers. And, that it might be done with a better colour, and the credit of the earl of Shrewſbury, which was approved and well known, might not ſeem to be ſuſpected; for it was not thought adviſable to call in queſtion the reputation of ſo great a man; ſuſpicions were laid hold on, as if the plot of procuring her liberty had been begun, and theſe were founded upon certain emblems ſent to her.

Thoſe were, Argus with many eyes, lulled aſleep by Mercury playing tunes on his pipe, with this little ſentence, "Eloquium tot lumina clauſit." Another was Mercury ſtriking off the head of Argus, who watched Io. A graft or cyon, engrafted on a ſtock, and bound with bands, yet flowering; with this inſcription under it, "Per vincula creſco." Another was a palm-tree much laden, but riſing again with theſe words, "Ponderibus virtus innata reſiſtit."

There was alſo an anagram, "Veritas armata," out of her name, "Maria Stuarta;" the letters being tranſpoſed, upon which a very bad interpretation was put.

More-

Moreover, there were letters ſhewn, as if they had been intercepted, in which the friends of the queen complained, that their cauſe was hopeleſs if ſhe was put into the cuſtody of the puritans. Under this colour, ſhe was taken from Shrewſbury, and committed to the cuſtody of Amias Pawlet and Drewgh Drury; and that on purpoſe, as ſome think, that, being driven to diſpair, ſhe might be more ready to take raſh counſels, and more eaſily enſnared. For Shrewſbury, in all that fifteen years had kept her with ſo much caution, that there was no place left for plots from her or againſt her.

And now ſhe dealt more earneſtly with the pope and the king of Spain, by Francis Inglefield, to haſten what was begun, and that with all expedition, whatſoever became of her. And Leiceſter, who was thought to ſtudy how to deprive the right owner of the ſucceſſion, ſecretly ſent ruffians, as many ſaid, to murder her. But Drury, an honeſt minded and upright man, deteſted the wickedneſs from his heart, and did not ſuffer them to have any acceſs to her. Yet ſome ſpies ſecretly crept in, and there were ſent many, as well counterfeit as true, letters; by which her womaniſh weakneſs might be ſpurred on to her deſtruction; as will hereafter appear.

And, in order to alienate Elizabeth entirely from her, it was whiſpered in her ears, that Allan, for the catholic's eccleſiaſtics of England, and Inglefield for the laity, and the biſhop of Roſs for the queen of Scotland, with common conſent, and with the conſent of the pope and the king of Spain, had decreed that queen Elizabeth was to be depoſed from her crown, and the king of Scotland was to be diſinherited of the kingdom of England, as manifeſt and incorrigible heretics; the queen of Scotland to be married to ſome catholic

tholic nobleman of England, he to be choſen king of England by the Engliſh catholics, and the election to be confirmed by the pope: the lawful children of this man, by the queen of Scotland, to be declared ſucceſſors to the kingdom: and all theſe things upon the credit of Hart, a prieſt. But who this Engliſhman ſhould be, Walſingham made diligent enquiry, and yet he could not diſcover who he was. However, the ſuſpicion fell upon Henry Howard, brother to the duke of Norfolk, who was of the chief nobility, a ſingle man, and an earneſt Roman catholic, and amongſt them of great reputation and account.

In a parliament held in the beginning of the year 1585, many laws were made againſt papiſts, with the ſeverity of which they were terrified; and amongſt them Philip Howard earl of Arundel, eldeſt ſon to the duke of Norfolk, inſomuch that he determined to quit the kingdom, leſt he ſhould offend againſt them.

This man, by the queen's favour, was reſtored in blood three years before this time, and a little after he forfeited her good opinion, by the ſecret inſinuation of ſome great courtiers, that he had ſecretly reconciled himſelf to the Roman religion, and led a very auſtere life. Hereupon he was once or twice called before the council, and cleared himſelf of all that was laid to his charge; but yet he was commanded to keep his houſe. After ſix months he was diſcharged, and came to the parliament; yet the firſt day, when the ſermon was preached, he ſtole ſecretly out of the company.

The parliament being ended, he being reſolved to quit the kingdom, in his letters written to the queen, which he commanded to be delivered after he was gone over, made a long and grievous complaint

complaint of the envy of his mighty adverſaries, unto which he was forced to yield, foraſmuch as they triumphed over his innocency; he repeated the unfortunate deaths of his anceſtors; that is to ſay, of his great-grandfather, who was condemned and never called to trial; of his grandfather, who was beheaded for trifling matters; and of his father, who, as he affirmed, was circumvented by his enemies, and who never carried any evil mind toward his prince or country: but, that he, leſt he ſhould run into the ſame hard fortune his father had, forſook his country (that he might ſpend his time in the ſervice of God, and in the works tending to the ſalvation of his ſoul) but not his loyalty and fidelity toward his prince.

Before theſe letters were delivered, he went into Suſſex, and, being ready to take ſhip in an obſcure creek, was taken and apprehended by the treachery of his ſervants, and diſcovery of the maſter of the ſhip, and committed to the Tower of London.

At that time there was priſoner in the ſame place Henry Piercy, earl of Northumberland; a man of a lively ſpirit and great courage, brother of Thomas, beheaded at York, ſuſpected to be privy to the plot of Throgmorton, the lord Paget, and the Guiſes, for invading England and delivering the queen of Scotland, to whom he had always borne a great love and affection.

In the month of June he was found dead in his bed, ſhot through with three bullets about the left pap, the doors being bolted on the inſide. The coroner's inqueſt, viewing the body, conſidering the place, having found the piſtol with the gunpowder in the chamber, his man who bought the piſtol, and the ſeller thereof, being examined, gave their verdict, that the earl had killed himſelf.

The

The third day after, the noblemen of the kingdom came in great numbers and met in the Star-chamber, where Thomas Bromly, lord-chancellor of England, ſuccinctly declared, that the earl had plotted and deviſed treaſon againſt his queen and country; which being upon the point of coming to light, had made him lay violent hands upon himſelf. But, that the multitude and common people, who always put the worſt conſtructions upon things, might be ſatisfied, he commanded the king's attorney, and the king's council at law, to deliver and explain at large the cauſes why the earl was detained in priſon, and the manner of his death.

Hereupon Popham, the queen's attorney-general, beginning at the rebellion in the north, ſhewed out of the records, That he was arraigned for this rebellion, and for purpoſing to deliver the queen of Scotland, did then acknowledge his fault, and ſubmitted himſelf unto the mercy of the queen; and, that he was fined at five thouſand marks, as I have ſaid before; and, that the queen, ſuch was her clemency, took not a penny, but remitted the ſame; and, that after the execution of his brother for the ſame fault, ſhe confirmed him in the honour of the earl of Northumberland: that he nevertheleſs entered into new practices to deliver the queen of Scotland, to conquer England, to kill the queen, and to deſtroy religion: that Mendoza, the Spaniſh embaſſador, had ſignified to Throgmorton, that Charles Paget, under the name of Mope, had talked with him of theſe things ſecretly in Suſſex: that the lord Paget had inſinuated the ſame things almoſt unto Throgmorton, and that the ſame things were evident and apparent by the papers of Chreycton, the Scottiſh Jeſuit,

Jeſuit, and that Charles Paget had told theſe things to Mr. William Shelley when he returned out of France.

Then Egerton, the queen's ſollicitor, argued ſhrewdly from the circumſtances and the great care taken of concealing it, that the earl was guilty of, and privy to theſe things; that is to ſay, for that the earl, ſince that none in England could charge him with theſe things, but the lord Paget, who was very familiar with Throgmorton, a few days after the taking and apprehenſion of Throgmorton, made a ſhip ready for Paget by Shelley, in which he paſſed over to France.

When Throgmorton began to confeſs ſome things, he departed from London, and went out of the way to Petworth, and ſignified to Shelley, whom he had ſent for, that he was fallen into great danger of his life, and of his eſtate, and requeſted him to conceal the buſineſs, and to ſend away them who were acquainted with the departure of the lord Paget, and with the coming of Charles Paget, which was done forthwith: and he himſelf ſent a good way off the man whom he had uſed about Charles Paget.

Moreover, the ſollicitor ſaid, That he, being now in priſon, dealt oftentimes with Shelley, by the keepers whom he corrupted, to know what things, and of what nature, he had confeſſed.

After that, Shelley, by a poor woman, a ſecret meſſenger between them, had certified him that he could not conceal matters any longer; that their condition and eſtate were not like; that he ſhould ſoon be put on the wreck, but that the earl could not, in reſpect of his place and degree, ever have written thoſe things which he had confeſſed. The earl ſighed grievouſly, and ſometimes ſaid, as Pan-

ton,

ton, who waited on him in his chamber confeſſed, that by the confeſſion of Shelley he was utterly undone.

Then the manner and reaſon of his death is declared, out of the teſtimony of the inqueſt of the lieutenant of the Tower, of ſome of the wardens, and of Panton; and thereupon it was gathered, that he, for fear his houſe and family ſhould be utterly deſtroyed, and a blemiſh and blot caſt upon them, had laid violent hands upon himſelf. Many worthy men, as well becauſe they favoured nobility, as becauſe he was reputed a man of great valour, were heartily ſorry that ſuch a man came to ſuch a lamentable and wretched end.

What the ſuſpecting fugitives ſaid of one Ballive, one of Hatton's men, who a little before was made keeper to the earl, we omit as a thing of ſmall credit; neither do we mean to ſet down things from idle reports.

In the year 1586, Philip, earl of Arundel, who had lain now a whole year in priſon, was accuſed in the Star-chamber, That he had relieved prieſts againſt the laws; that he had had commerce of letters with Allan and Parſons the Jeſuit, enemies of the queen; and, that he had derogated in writing from the juſtice of the land, and imagined to depart out of the land without licence.

He, profeſſing his duty and ſervice to the queen, and his love and good-will to his country, excuſed himſelf with great modeſty, by the love he had to the catholic religion, and by his ignorance of the laws; and ſubmitted himſelf to the cenſure and judgment of the lords, who fined him at ten thouſand pounds, and to be impriſoned during the queen's pleaſure.

In the month of July, a moſt pernicious conſpiracy againſt queen Elizabeth was diſcovered; of which we will here give the reader a brief account.

At Eaſter, this year, John Ballard, a prieſt of the ſeminary of Rhemes, who had viſited many Roman catholics in England and Scotland, returned into France, accompanied with Mawd, one of Walſingham's ſpies, a crafty diſſembler who had bleared his eyes, and talked with Bernardino Mendoza, at that time ordinary embaſſador of the king of Spain in France, and with Charles Paget, a man entirely devoted to the queen of Scotland, about invading of England; ſaying, that now was a fit time, all the military men being abſent in the Low-countries; and, that they could not hope for a fitter time, ſince the pope, the king of Spain, Guiſe and Parma, were determined to ſet upon England, by that way to turn the war out of the Low-countries: and, though Paget held it clear, that it would be in vain, as long as the queen lived, yet Ballard was ſent back into England, being ſworn to procure aid and help to the invaders, and liberty to the queen of Scotland; and that with all ſpeed, and as ſoon as he could.

At Witſuntide following, this Ballard, dreſſed like a ſoldier, and called by a counterfeit name, captain Foſcu, arrived in England, and talked at London about theſe things with Anthony Babington of Dethick in Derbyſhire, a young man of a good family, rich, of an uncommon genius, and learned above his years; who, being addicted to the Roman religion, had a little before ſtolen over to France, without any licence, and had been very familiar with Thomas Morgan, one that belonged to the queen of Scotland, and with the

biſhop

biſhop of Glaſgow her embaſſador; which two, in extolling continually the heroic virtues of ſuch a queen, had ſhewed certain hopes of great honours and preferments by her; of which the ambitious young man quickly took hold. They alſo commended him, in their letters to the queen of Scotland: for, when he was returned to England, ſhe courteouſly ſaluted him by her letters; and, from that time, Morgan uſed to ſend over, and to convey letters to her by his means, till ſuch time as ſhe was ordered to be kept by Amias Paulet. For then, the young man ſeeing the danger, left off.

With this Babington did Ballard deal about this matter. He was fully perſuaded that the invaſion of England would come to nothing ſo long as queen Elizabeth lived: but, when Ballard had inſinuated that ſhe ſhould not live long; that Savage, who had taken an oath to kill her, was already come into England; Babington did not like that ſo important a matter ſhould be committed only to Savage, leſt he ſhould fail in his attempt; but rather to ſix brave gentlemen, of whom he would have Savage one, leſt he ſhould break his oath: and Babington deviſed a new way to have the land invaded by ſtrangers, and decided concerning the havens where they ſhould land, the aid that ſhould be joined to them, how to deliver the queen of Scotland, and to kill queen Elizabeth.

Whilſt he ſtudied earneſtly about this matter, he received, by a boy unknown, letters in a character or cypher familiar between the queen of Scotland and him, which mildly accuſed him for his long ſilence, and bad him ſend with ſpeed a packet of letters ſent from Morgan, and delivered by the ſecretary of the French embaſſador: which

he did, and by the ſame meſſenger wrote letters to her, wherein he excuſed her ſilence, for that he was deprived of means and opportunity to ſend, from the time that ſhe was put into the cuſtody of Amias Paulet, a puritan, a mere Leyceſtrian, and a profeſſed enemy of the catholic faith, for ſo he called him.

He opened unto her, what he had conferred with Ballard, and told her, that ſix gentlemen were ſelected to execute the tragical murder; and, that he, with a hundred others, would deliver her at the ſame time. He beſought her, that rewards might be propounded, and given unto the heroical actors in this buſineſs, or to their poſterity, if they failed or died in the action.

To theſe letters anſwer was made on the twenty-ſeventh of July, The forward care of Babington toward the catholic religion and herſelf, is commended; but he was adviſed to proceed in the buſineſs warily; and, that an aſſociation might be made amongſt them, as though they feared the puritans; and, that no ſtir ſhould be made before they were certain and aſſured of foreign help and forces, that ſome tumult might be raiſed alſo in Ireland, whilſt a blow or wound might be given in theſe parts, Arundel, and his brethren, and Northumberland, might be drawn to their ſide; Weſtmorland, Paget, and ſome others, ſecretly called home.

And the way alſo of delivering her was preſcribed, either by overthrowing a cart in the gate, or by burning the ſtables, or by intercepting herſelf when ſhe rode up and down in the fields, for her recreation, between Chartley and Stafford.

Laſtly, Babington was commanded to give his word and promiſe for the rewards unto the ſix gentlemen and the others.

He

He had already gotten together ſome gentlemen who were zealous Roman catholics, among which the chief were Edward Windſor, brother to lord Windſor, a mild young man; Thomas Saliſbury, of a noble family in Denbighſhire; Charles Tilney, of an ancient worſhipful houſe, the only hope of his family, and one of the gentlemen-penſioners to the queen, whom Ballard had lately reconciled to the Roman church; both of them very able men; Childiock Tichburn, of Hampſhire; Edward Abington, whoſe father was cofferer to the queen; Robert Gage, out of Surrey; John Traverſe, and John Charnocke, of Lancaſhire; John Jones, whoſe father had been taylor to queen Mary; the above-named Savage; Barnwell, of a worſhipful family in Ireland; and Henry Dun, a clerk in the office of the firſt fruits and tenths. Pooly alſo inſinuated himſelf amongſt them. He was a man perfectly inſtructed in the affairs of the queen of Scotland, a notable and cunning diſſembler, who is thought to have diſcovered all their purpoſes and counſels to Walſingham, day by day; and to have urged theſe young men, ready enough to do evil headlong, by ſuggeſting and putting worſe things into their heads; though Navus, ſecretary to the queen of Scotland, had ſecretly adviſed them to beware of him.

To theſe men Babington communicated the matter, but not all things to every one. He ſhewed his letters, and thoſe of the queen of Scotland, to Ballard, Tichburn, and Dun. He moved Tilney and Tichburn to diſpatch the queen. At firſt they refuſed to contaminate and embrue their hands in their prince's blood; Ballard and Babington told them, that it was lawful to kill princes who were excommunicated; and, that it

was excuſable, as being done for the good of the catholic religion.

With theſe arguments they were, with much ado, perſuaded, and gave conſent; Abington, Barnwell, Charnock, and Savage, readily and voluntarily ſwore to do it. Saliſbury could not be perſuaded by any means to kill her, but to procure the queen of Scotland's liberty, he offered himſelf voluntarily to Savage and the others. Babington would have aſſociated Tichenor, of whoſe fidelity and valour he had a great opinion; but he was gone to travel. Babington charged them not to impart the matter to any, before they had ſworn them to be ſecret.

The conſpirators conferred ſometimes of this affair in Paul's church, in St. Giles's fields, and in the Taverns, in which they kept many feaſts, puffed up with the hope of great honours, now and then extolling the valour of the nobility of Scotland, who had lately intercepted the king of Scotland at Sterling; and Gerard the Burgonian, who had killed the prince of Orange. And, ſo far did they carry their fooliſh preſumption, that they cauſed them who were appointed to kill the queen to be painted in tables to the life, and Babington in the midſt of them with this verſe:

"Hi mihi ſunt comites quos ipſa pericula ducunt."

Theſe, my brave friends, even Danger's ſelf excites.

But, becauſe this verſe, as too plain, did not ſeem to their purpoſe, they took it away, and, in its ſtead, they put this:

"Quorſum hæc, aliò properantibus?"

Why theſe, whilſt elſewhere we our footſteps bend.

It is reported that theſe tables were intercepted and ſecretly ſhewn to the queen, who knew none of them by the countenance but Barnwell, who had oftentimes talked with her about the cauſes of the earl of Kildare, to whom he belonged; but by other tokens which ſhe was told, ſhe knew the man.

Happening once to take a walk for her recreation, ſhe ſpied Barnwell, and looked earneſtly on him without fear; and turning to Hatton, captain of her guard, and others, ſaid, "Am not I well "attended and guarded, that have not in my com-"pany ſo much as one man that weareth a ſword?" Theſe words Barnwell himſelf told afterwards to the conſpirators, and ſhewed them how eaſily ſhe might then have been diſpatched, if the conſpirators had been there; and Savage affirmed the ſame.

Now nothing troubled the mind of Babington more, than, leſt he ſhould be diſappointed of the foreign forces: therefore, to make that ſure and certain, he determined to go over himſelf into France, and to ſend Ballard over ſecretly before for that purpoſe: having got a licence under a counterfeit name by a bribe he had given; and, that he might clear himſelf from all ſuſpicion, by the before-named Pooley, he ſued to Walſingham to obtain leave of the queen for him to go into France, promiſing to do good ſervice in ſearching and diſcovering the moſt ſecret plots of the fugitives for the queen of Scotland. He commended the purpoſe of the young man, and promiſed him not only a licence, but many and great rewards if he performed it; yet he every day invented new delays, having come to the knowledge of their deſign, by his own penetration, and by the intelligence of Gilbert Giffard a prieſt.

This man, born at Chellington in Staffordſhire, not far from Chartley, where the queen of Scotland was kept, was ſent about this time by the fugitives into England, under the counterfeit name of Luſon, to remind Savage of the oath he had taken, to lie hid in order to ſend the letters to and fro between them and the queen of Scotland; when they could draw neither the counteſs of Arundel, nor the lord Lumley, nor Henry Howard, nor George Sherley, into ſo dangerous an enterprize.

The fugitives, to try whether the conveying of letters by Giffard was ſafe, firſt ſent blanks made up like packets, which when they underſtood by anſwers to be delivered, they being more confident, ſent others in cyphers concerning their affairs. But Giffard, whether tormented in conſcience, or corrupted by bribes, or terrified with fear, came ſecretly to Walſingham, and told him who he was, and for what purpoſe he was ſent into England, and offered all his ſervice out of love to his country and prince; and promiſed to communicate unto him all the letters he received, either from the fugitives or from the queen of Scotland.

Walſingham embracing the occaſion offered, received him favourably, ſent him into Staffordſhire, and wrote to Powlet, that he ſhould ſuffer ſome of his ſervants to be corrupted by Giffard and winck at it. He, as though unwilling, as he ſaid, that any of his ſervants ſhould be made a traitor in a diſſembling manner, ſuffered him to corrupt the brewer, or the man that kept the provender, who dwelt hard by.

Giffard quickly corrupted the brewer for a few angels of gold, who, by a hole in the wall into which a ſtone was put ſo that it might be taken out,

out, ſecretly ſent in and received back letters, which by poſts appointed came to the hands of Walſingham, who unſealed and copied them out: and, by the ſkill of Thomas Philips, he found out the cyphers, and ſo ſealed them again, by the ſkill of Arthur Gregory, that none could perceive them to have been unſealed; and ſo ſent them to thoſe to whom they were directed. So were thoſe above-mentioned of the queen of Scotland to Babington, and his anſwers to her, and others to him (in which was craftily added a poſtſcript in the ſame character, bidding him ſend the names of the ſix gentlemen, if not the others) and alſo the letters ſent the ſame day to Mendoza, the king of Spain's embaſſador, to Charles Paget, the lord Paget, the archbiſhop of Glaſgow, and to Francis Ingleſield; every one of which were copied out, and afterwards conveyed as they were directed.

Queen Elizabeth, as ſoon as ſhe underſtood by theſe letters that ſuch a terrible ſtorm hung over her head, on the one ſide from her ſubjects at home, and on the other ſide from foreign enemies, commanded Ballard to be apprehended, thereby to ſuppreſs the conſpiracy betimes. So on a ſudden he was taken in the houſe of Babington, in the very inſtant that he was ready to go upon his journey into France.

Hereat Babington was wonderfully perplexed, and was in a thouſand minds, and went to Tichburn, and aſked his advice what was to be done. His counſel was, that the conſpirators ſhould ſcatter and fly ſeveral ways; but his own was, ſecretly to ſend Savage and Charnock, and that ſpeedily, to diſpatch the queen: yet, that they might come with more facility to her, they ſhould provide richer cloaths for Savage, and he talked with them of this in Paul's church: but by and by changing his

his mind, and concealing his inward cares, he urged Walſingham, being then abſent and at court, that his licence to travel into France might be now at length granted; and at the ſame time intreated him to let Ballard free, whom he ſhould have great occaſion to uſe in that negociation.

Walſingham delayed, and held him on with fair promiſes from day to day; and, as concerning Ballard, and taking of him, he in that affair employed Young, that cunning hunter out of the Romaniſts, and, as it were in friendſhip, ſecretly adviſed him to take heed of ſuch fellows, and perſuaded the young man to lie all night in London, till the queen ſigned his paſſport, and he himſelf returned to London, that they might talk of ſuch important affairs with more ſecrecy, and leſt the fugitives, when he came to France, ſhould gather any manner of ſuſpicion from his going often to and fro thither.

In the mean time, Scudamore, one of Walſingham's men, was commanded to watch him very narrowly, and to accompany him in every place, under colour that he might be the ſafer from the purſuivants.

Hitherto had Walſingham contrived and wrought the buſineſs, the other counſellors of the queen being ignorant of it; and would have proceeded further, and lengthened it, but the queen would not, "leſt," as ſhe ſaid, "in not taking heed of "a danger when ſhe might, ſhe ſhould ſeem more "to tempt God, than to hope in him." Therefore an order was ſent from Walſingham to watch Babington with more care. This not being ſealed, was ſo delivered, that Babington, being next to him at the table, read it alſo. Hereupon, being guilty in conſcience, and ſuſpecting that all was diſcovered, the next night, when he, Scudamore,

and

and one or two more of Walſingham's men had chearfully ſupped at a tavern, he, as if he would have paid the reckoning, aroſe, leaving behind him his ſword and cloak, and got to Weſtminſter by the darkneſs of the night, where Gage changed cloaths with him, and put on Charnock's cloaths, and ſo they went together into St. John's wood, near the city: to which place Barnwell and Dun came ſoon after.

In the mean time they were proclaimed traitors throughout all England.

After lurking in woods and by-ways, when they had in vain ſollicited money of the French embaſſador, and horſes of Tichburn, they cut off Babington's hair, and disfigured his face with the green ſhells of walnuts; but being compelled by famine, they went to the Bellamy's houſe near Harrow on the Hill, which family was much addicted to the Roman religion. There they were hidden and relieved with victuals in the barns, and dreſſed in huſbandmen's apparel; but, being found after ten days, they were brought to London, the citizens teſtifying their public joy with ringing of bells, making of bonfires in the ſtreets, and ſinging of pſalms: ſo much that the citizens received great commendations and thanks of the queen for thoſe expreſſions of loyalty.

The other conſpirators were ſoon taken, moſt of them near the city, and Saliſbury in Cheſhire, his horſe being thruſt through with a halbard, and Traverſe with him, after they had ſwam over the river of Wever; and in Wales Jones was taken, who, being acquainted with the intended invaſion, had alſo hidden them in his houſe, after he knew they were proclaimed traitors, and had moreover furniſhed Saliſbury in his flight with a horſe, and his man, who was a prieſt, with a cloak he lent him.

him. Only Windſor was not found. Many days were ſpent in the examination of theſe men, who, in their confeſſions, impeached one another, concealing nothing that was true.

All this time the queen of Scotland, and her ſervants, were ſo narrowly kept and watched by Powlet, that theſe things were kept from her knowledge, though publicly known in all England. As ſoon as theſe men were taken, Thomas Gorge was ſent to inform her in few words, of theſe things; which he did, ſhe nothing dreaming thereof, as ſhe had taken horſe to go a hunting; neither was ſhe ſuffered to return, but under ſhew of honour, lead about to gentlemen's houſes that lived thereabouts.

In the mean time, J. Maner, Edward Aſton, Richard Bagot, and William Wade, by commiſſion from the queen, kept Navus and Curlus her ſecretaries, and other ſervants ſeverally, that they ſhould have no communication with each other, nor with the queen. And, breaking open the doors of her cloſet, ſent all her cabinets and deſks, in which her papers were laid, ſealed up with their ſeals to the court.

Then Powlet, being ſo commanded, ſeized on all the money, leſt ſhe ſhould corrupt any body with bribes, and gave his word to reſtore it. The caſkets and deſks being ſearched before queen Elizabeth, there were found the letters of many ſtrangers, the copies alſo of letters to many; about ſixty kinds of cyphers, and alſo the letters of many noblemen of England, offering their love and ſervice, which yet queen Elizabeth diſſembled in ſilence; but they ſuſpecting this, did afterwards all they could againſt the queen of Scots, that ſo they might not ſeem to have favoured her.

Now Giffard, having ſerved their purpoſe in this manner, was ſent into France as a baniſhed man,

man, leaving firſt with the French embaſſador in England, a paper containing this charge, not to deliver any letters from the queen of Scotland, or from the fugitives, which ſhould fall into his hands, to any other but him that brought the counterpart of it, which he ſecretly ſent to Walſingham.

Being returned into France, after ſome months, he was caſt into priſon for his wicked life; and, being ſuſpected of theſe proceedings, died wretchedly.

On the thirteenth day of September, ſeven of the conſpirators were brought to the bar and arraigned, and acknowledged themſelves guilty, and received ſentence for treaſon. On the next day, the other ſeven, being brought to the bar, pleaded not guilty to their indictment, and put themſelves to be tried by God and their country, were proved guilty by their own confeſſions, and were likewiſe condemned. Pooly only, though he was privy to all, becauſe he affirmed that he had made ſome diſcoveries to Walſingham, was not at all arraigned.

On the twentieth day of the ſame month, the firſt ſeven were, on a pair of gallows, ſet upon a ſcaffold on St. Giles in the Fields, where they had uſed to meet, hanged, and cut down, and their privities cut off, bowelled and quartered, whilſt yet alive; Ballard, the contriver of the wickedneſs, aſking pardon of God and the queen, with this reſtriction, if he had offended her.

Babington (who, without fear, beheld the execution of Ballard, whilſt the others, turning their faces away, and on their knees, were earneſt at their prayers,) ingenuouſly acknowledging his fault; and, being let down from the gallows ſeveral times, plainly cried out in the Latin tongue, "Parce mihi Domine Jeſu."

Savage,

Savage (the rope breaking) fell from the gallows, and was directly pulled away, and his privy members cut off, and bowelled alive.

Barnwell extenuated the fault, with the pretext of religion and conſcience.

Tichburn, humbly acknowledging his wickedneſs, moved all the multitude to compaſſion, and ſo alſo did Tilney, being a well-ſhaped man, and modeſt in behaviour.

Babington, being of a turbulent ſpirit and nature, uttering threats and terrors, of the blood that was 'ere long to be ſhed in England.

On the next day, the other ſeven were drawn to the ſame place, but uſed with more mercy by the queen's command, who deteſted the former cruelty; for every one of them hung till they were quite dead, before they were cut down, and bowelled.

Saliſbury the firſt, was very penitent, and adviſed the Catholics not to attempt the reſtitution of religion by force of arms.

Dun, who was the next, did the ſame.

Jones proteſted that he had diſſuaded Saliſbury from this enterprize; and, that he utterly condemned and diſliked the haughty and raſh temper of Babington, and the purpoſe of invaſion.

Charnock and Travers, attentive wholly to their prayers, commended themſelves to God and the ſaints.

Gage, extolling the bountiful liberality of the queen towards his father, and deteſting his own treacherous ingratitude towards a princeſs ſo well deſerving.

Hierom Bellamy, who had hidden Babington after he was proclaimed traitor (whoſe brother, privy to the ſame offence, had ſtrangled himſelf in

in priſon) aſhamed and ſilent, was the laſt of this company.

Theſe men being executed, Navus the Frenchman, and Curlus the Scot, who were ſecretaries to the queen of Scotland, being examined about the letters, copies of letters, and little notes and cyphers found in the queen's cloſet, voluntarily acknowledged, by their ſubſcriptions, that the hand-writing was their own, indited by her in French, taken down by Novus, and tranſlated into Engliſh by Curlus. Neither did they deny, that ſhe received letters from Babington, and that they were wrote back by her orders in the ſenſe aforeſaid. Yet this is certain, from letters, that when Curlus, at this time, aſked Walſingham for what he promiſed, that Walſingham reproved him, as one forgetful of an extraordinary favour, ſince he had not confeſſed any thing but what he could not deny, when Navus charged him with it to his face.

The counſellors of England could not agree what ſhould be done with the queen of Scotland: ſome were of opinion, that no ſeverity ſhould be uſed againſt her, but that ſhe ſhould be kept very cloſe, as well becauſe ſhe was not the beginner of this plot, but only made acquainted with it; and alſo becauſe ſhe was ſickly, and not likely to live long. Others, for the ſecurity of religion, would have her diſpatched out of the way. Leiceſter had rather have it done by poiſon, and ſecretly ſent a divine to Wolſingham, to prove to him, that it was lawful; but Walſingham proteſted, that he was ſo far from allowing that any violence ſhould be uſed, that long ago he had oppoſed the advice of Morton, who had perſuaded them to ſend her into Scotland, that ſhe might be killed in the very borders of both the kingdoms.

They

They were, moreover, of different opinions, by what law or act they ſhould proceed againſt her; whether by that of the twenty-fifth year of Edward III. (in which, he is a traitor who deviſeth to kill the king or queen, or moveth war in the kingdom, or doth adhere unto his enemies:) or whether, by an act of the twenty-ſeventh year of queen Elizabeth.

At length their opinion prevailed, who would have it by this latter law, as made for this purpoſe, and therefore to be accommodated to it; and, purſuant to that law, enacted the year before, that enquiry might be made, and ſentence pronounced againſt them who raiſed rebellion, invaded the kingdom, or attempted to hurt the queen, many of the privy-council, and noblemen of England, were choſen commiſſioners by letters-patents; the form of which was as follows:

ELIZABETH, by the grace of God, of "England, France, and Ireland, queen, defender "of the faith, &c. To the moſt reverend father "in Chriſt, John, archbiſhop of Canterbury, pri-"mate and metropolitan of all England, and one "of our privy-council; and to our beloved and "truſty Thomas Bromley, knight, chancellor of "England, and another of our privy-counſel; "and alſo to our well-beloved and truſty William, "lord Burghley, lord-treaſurer of England, ano-"ther of our privy-council; and alſo to our moſt "dear couſin William, marquis of Wincheſter, "one of the lords of the parliament; and to our "moſt dear couſin Edward, earl of Oxford, great "chamberlain of England, another of the lords "of the parliament; and alſo to our moſt dear "couſin George, earl of Shrewſbury, earl-marſhal "of England, another of our privy-council; and

to

" to our moſt dear couſin Henry, earl of Kent,
" another of the lords of the parliament; and
" alſo to our moſt dear couſin Henry, earl of
" Derby, another of our privy-council; and to
" our moſt dear couſin William, earl of Worceſter,
" another of the lords of the parliament; and to
" our moſt dear couſin Edward, earl of Rutland,
" another of the lords of the parliament; and to
" our moſt dear couſin Ambroſe, earl of War-
" wick, maſter of our ordnance, another of our
" privy-council; and to our moſt dear couſin
" Henry, earl of Pembroke, another of the lords
" of the parliament; and alſo to our moſt dear
" couſin Robert, earl of Leiceſter, maſter of our
" horſe, another of our privy-council; and to our
" moſt dear couſin, Henry, earl of Lincoln, ano-
" ther of the lords of the parliament; and alſo to
" our moſt dear couſin Anthony, viſcount Mon-
" tague, another of the lords of the parliament;
" and to our well-beloved and truſty Charles, lord
" Howard, our great admiral of England, another
" of our privy-council; and to our well-beloved
" and faithful Henry, lord Hunſdon, our lord-
" chamberlain, another of our privy-council; and
" alſo to our well-beloved and truſty Henry,
" lord of Abergavenny, another of the lords of
" the parliament; and to our well-beloved and
" truſty Edward, lord Zouch, another of the
" lords of the parliament; and to our well-beloved
" and truſty Edward, lord Morley, another of the
" lords of the parliament; and alſo to our well-
" beloved and truſty William, lord Cobham, lord
" warden of our five ports, another of our privy-
" council; and alſo to our well-beloved and truſty
" Edward, lord Stafford, another of the lords of
" the parliament; and alſo to our well-beloved
" and truſty Arthur, lord Grey of Wilton, another

" of the lords of the parliament; and alſo to our
" well-beloved and truſty John, lord Lumley, ano-
" ther of the lords of the parliament; and alſo to
" our well-beloved and truſty John, lord Sturton,
" another of the lords of the parliament; and to
" our well-beloved and truſty William, lord Sandys,
" another of the lords of the parliament; and alſo
" to our well-beloved and truſty Henry, lord
" Wentworth, another of the lords of the parlia-
" ment; to our well-beloved and truſty Lewis,
" lord Mordaunt, another of the lords of the par-
" liament; and to our well-beloved and truſty
" John, lord St. John of Bletſo, another of the
" lords of the parliament; and alſo to our well-
" beloved and truſty Thomas, lord Buckhurſt,
" another of our privy-council; and to our well-
" beloved and truſty Henry, lord Compton, ano-
" ther of the lords of the parliament; and alſo to
" our well-beloved and truſty Henry, lord Cheney,
" another of the lords of the parliament: to our
" well-beloved and truſty Francis Knolles, knight,
" treaſurer of our houſhold, another of our privy-
" council; and alſo to our well-beloved and truſty
" James Crofts, knight, comptroller of our ſaid
" houſhold, another of our privy-council: to our
" beloved and truſty Chriſtopher Hatton, knight,
" our vice-chamberlain, another of our privy-
" council; and alſo to our truſty and well-beloved
" Francis Walſingham, knight, one of our chief
" ſecretaries, another of our privy-council; and
" alſo unto our truſty and well-beloved William
" Daviſon, eſquire, another of our principal ſecre-
" taries, of our privy-council; and to our truſty
" and well-beloved Ralph Sadleir, knight, chancel-
" lor of our dutchy of Lancaſter, another of our
" privy-council; and alſo to our truſty and well-
" beloved Walter Mildmay, knt. chancellor of our
" Exchequer, another of our privy-council; and to
" our

" our truſty and well-beloved Amias Powlet, knt.
" captain of the iſle of Jerſey, another of our privy-
" council: and to our truſty and well-beloved John
" Wolley, eſq; our ſecretary for the Latin tongue,
" another of our privy-council; and alſo to our
" truſty and well-beloved Chriſtopher Wray,
" knight, chief-juſtice of the King's-Bench; and
" to our truſty and well-beloved Edmund Ander-
" ſon, knight, chief-juſtice of the Common
" Bench, Roger Manwood, knight, chief baron
" of our Exchequer, Thomas Gawdy, knight,
" one of the juſtices of the King's-Bench, and
" William Peryam, one of the juſtices of our
" Bench, greeting, &c.

And, not to ſet it down verbatim: after the recapitulation of the act made the laſt year, theſe words follow:

" When, after the ſeſſion of parliament, viz.
" after the firſt day of June, in the twenty-ſeventh
" year of our reign, divers things have been com-
" paſſed and deviſed, tending to the hurt of our
" royal perſon, as well by Mary, daughter and
" heir of James the Firſt, lately king of Scotland,
" and commonly called queen of Scotland, and
" dowager of France, pretending title unto the
" crown of this realm of England, as by divers
" other perſons, with the privity of the ſame
" Mary, as it is given us to underſtand: and for
" that we intend and determine, that the ſaid act
" ſhould be executed rightly and effectually in all
" things, and by all things, according to the tenor
" of the ſaid act: and, that all the offences afore-
" ſaid, in the aforeſaid act, as it is ſaid, mentioned,
" and the circumſtances of the ſame ſhould be ex-
" amined, and ſentence and judgment thereupon
" given, according to the tenor and effect of the
" ſaid act:

"We give unto you, and to the greater part "of you, full and ample power, faculty, and "authority, according to the tenor of the ſaid "act, to examine all and ſingular things, com- "paſſed and deviſed, tending to the hurt of our "royal perſon; with the privity of the ſaid Mary, "and all the circumſtances of the ſame, and all "the aforeſaid offences whatſoever, mentioned in "the ſaid act, as it is ſaid, and all circumſtances "of the ſame offences, and of every one of them. "And moreover, according to the tenor of the ſaid "act, to give ſentence and judgment, even as "the matter ſhall appear unto you upon good "proof; and therefore we command you to pro- "ceed diligently upon the aforeſaid things in the "form aforeſaid, at certain days and places, "which you, or the greateſt part of you, ſhall "appoint, and provide for this purpoſe, &c.

Moſt of theſe came to Fodringhay caſtle in Northamptonſhire, on the eleventh day of October, where the queen of Scotland was then kept.

On the next day the commiſſioners ſent to her ſir Walter Mildmay, ſir Amias Powlet, and Edward Barker, a public notary, who delivered into her hands the letters of queen Elizabeth; which, when ſhe had read over, ſhe with a princely countenance, and great compoſure of mind, ſaid, "I am much aggrieved, that the queen, my moſt "dear ſiſter, is wrong informed of me; and that "I, who have ſo ſtraitly been kept ſo many years, "and being now lame, after I have offered ſo "many equal and and fair conditions for my li- "berty, have lain ſo long a time neglected: al- "though I have fully forewarned her of many "dangers, yet I was not believed, but was al-

"ways

" ways deſpiſed, although I am moſt near to her " in blood.

" When the aſſociation was made, and when it " was confirmed in the parliament, I foreſaw, that " whatſoever danger befel, either by foreign " princes abroad, or any hare-brain fellows at " home, or for the cauſe of religion, I ſhould " pay dear for the ſame, I having ſo many deadly " enemies at court. I may take it in evil part, " and I have cauſe for it, that a league was made " with my ſon, without my privity or knowledge; " but ſuch like things I pretermit.

" But, to come unto theſe letters; it ſeemeth " ſtrange unto me, that the queen commandeth " me, as if I were her ſubject, to come unto a " trial: I am an abſolute queen, neither will I do " or commit any thing, which may impair or " wrong the royal majeſty of kings and princes, " of my place and rank, or my ſon; my mind is " not ſo dejected, neither will I yield and ſink " down under calamity, I refer myſelf unto thoſe " things which I proteſted before Bromley and " the lord Delaware. The laws and ſtatutes of " England are to me utterly unknown; I am deſ- " titute of counſellors; I tell you plain, I know " not who may be my peers: my papers and " notes of remembrances are taken from me; " there is none that dare plead or ſpeak in my " cauſe. I am free from all offence againſt the " queen; neither am I to be called in queſtion, " but upon my own word or writing, which can " never be brought againſt me; but yet I cannot " deny, but that I have commended myſelf and " my cauſe to foreign princes."

On the next day Powlet and Barker returned to her in the name of the commiſſioners, ſhewed her

this anſwer in writing, and aſked her if ſhe perſiſted in it.

After ſhe had heard it diſtinctly read, ſhe ſaid it was truly and rightly copied, and ſaid ſhe would perſiſt in the ſame: "But, ſhe added, I did not "remember one thing which I wiſh may be put in; "whereas the queen hath written I am ſubject and "liable unto the laws of England, and am to be "judged by them, becauſe I lived under the pro-"tection of them: I anſwer, That I came into "England to aſk and crave aid and help, from "which time I have been kept and detained in "priſon, and could not enjoy the protection and "benefit of the laws of England; and hitherto I "could not underſtand by any body what the laws "of England were."

In the afternoon, ſeveral choſen out of the commiſſioners came to her, with men verſed in the canon and civil laws; but the chancellor and the treaſurer declared their authority out of the letters-patents, and made it appear to her, that neither captivity, nor the prerogative of royal majeſty, could exempt her from anſwering in this kingdom; admoniſhing her mildly to hear the objections made againſt her; if not, they threatened they both might, and would proceed againſt her by the authority of the law.

She anſwered, "That ſhe was not a ſubject, "and had rather die a thouſand times than ac-"knowledge herſelf a ſubject; ſince that, by ac-"knowledging it, ſhe ſhould do prejudice and "wrong unto the highneſs of the majeſty of kings, "and withall, ſhould confeſs herſelf to be bound "unto all the laws of England, even in matters "of religion. Nevertheleſs, ſhe was ready to "anſwer unto all things in a full and free parlia-"ment, ſince that ſhe is ignorant, if only for a "faſhion and a ſhew, this aſſembly was appointed

"againſt

"againſt her, already condemned with their fore-
"judgments; therefore ſhe cloſely admoniſheth
"them to look unto their conſciences, and to re-
"member, that the theatre of the whole world
"was far more ſpacious than the kingdom of
"England."

Laſtly, ſhe began to complain of the injuries done her, and the treaſurer to enumerate the favours beſtowed upon her by queen Elizabeth, viz. That ſhe had puniſhed many who ſtrove to invalidate the right ſhe challenged to England, and had prevented her from being condemned by the ſtates of the realm, for purſuing the marriage with the duke of Norfolk, the rebellion in the North, and other things; but ſhe, ſeeming to treat theſe as things of little importance, they went away.

A few hours after, they ſhewed the heads of the letters-patents, together with the names of the commiſſioners, by Powlet and the ſollicitor, that ſhe might ſee that they were to deal formally, and according to equity, and not according to the quirks of the law.

She made no exceptions againſt the commiſſioners, but remonſtrated vehemently againſt the new or late act, upon which all the authority of the commiſſioners depended, alledging, that it was deviſed purpoſely againſt her; and that there was no example of the like proceeding; and that ſhe would never ſubmit herſelf to be tried upon that act.

She aſked by what law they would proceed againſt her; if by the civil, or canon laws, ſhe ſaid the expounders were to be ſent for to Pavia, or Poitiers, and other foreign univerſities, ſince fit men were not to be found in England. She added, that it was evident, by plain words in

the letters, that ſhe was accounted guilty of the fault, although ſhe was not heard; and therefore ſhe had no reaſon to appear before them, and ſhe required to be ſatisfied of many ſcruples in theſe letters, which ſhe had remarked, confuſedly and in haſte, by herſelf; but ſhe would not deliver them in writing; for that it did not become a king or a prince to play the ſcribe.

The commiſſioners came to her again about this affair, and ſhe ſignified to them, that ſhe did not underſtand the meaning of theſe words, "Since "ſhe is in the protection of the queen.

The chancellor anſwered, "This is to be ap- "parent enough to any one of underſtanding, "but yet it is not the duty of ſubjects to expound "what the queen meant, neither were they made "commiſſioners for that cauſe."

Then ſhe requeſted, that the proteſtation which ſhe had made in former times, ſhould be ſhewed and admitted. It was anſwered, that it was never admitted, neither could it be admitted now; for that it was an injury to the crown of England.

She aſked by what authority they would proceed. It was anſwered, by the authority of the letters-patents, and the law of England.

"But you, ſaid ſhe, make laws as you liſt; "unto which, it is no reaſon why I ſhould ſub- "mit myſelf, ſince that the Engliſhmen, in for- "mer times, refuſed to ſubmit themſelves unto "the Salic law of the Frenchmen. But, if they "proceeded by the law of England, they ſhould "bring a precedent for their doings, ſince that, "that law, for the moſt part, conſiſted upon ex- "amples and cuſtoms: but if by the cannon law, "then no other men ought to expound the ſame "but the makers of them."

It

It was anſwered, that they would proceed neither by the civil nor canon laws, but by the laws of England; but, that it might be proved, by the civil and canon laws, that ſhe ought to appear before them, if ſhe did not refuſe to hear this; neither did ſhe refuſe to hear, but as in way of communication, and not by way of juſtice, or trial.

Hereupon ſhe declared, that ſhe never compaſſed or deviſed any thing to hurt or kill the queen, that ſhe had been offended at the wrongs and indignities done her, that ſhe ſhould be a ſtumbling-block, if rigorouſly uſed; that ſhe did, by Navus, offer to do all that lay in her power for the revocation of the pope's bull: that ſhe would have defended her innocence by letters, but this was not permitted: and, to conclude, that all her offices of good-will for this twenty years have been rejected; as ſhe proceeded in this manner, they interrupted her, and bade her ſay in plain terms, whether ſhe would anſwer before the commiſſioners; ſhe replied, "That this their "authority was given to them by the new act "made to inſnare her: that ſhe could not endure "the laws of the queen, which ſhe, upon good "reaſon, ſuſpected: that ſhe, having been hither-"to of good courage, would not now wrong her "anceſtors the kings of Scotland, by acknow-"ledging, that ſhe is a ſubject of the crown of "England; for this is no other than openly to "confeſs them, thereby to have been rebels and "traitors. Yet, that ſhe refuſed not to anſwer, "ſo ſhe be not reduced unto the rank of a ſub-"ject: and that ſhe had rather die a thouſand "times, than to anſwer as a criminal offender."

To this Hatton, the vice-chamberlain of the queen, made anſwer; "You are accuſed (but "not condemned) to have conſpired to kill our "lady and anointed queen. You ſay you are a

"queen.

" queen. Be it ſo: but the royal eſtate of a " queen doth not exempt you from anſwering un- " to ſuch a crime as this is, neither by the civil " nor canon law, nor by the law of nations, nor " by the law of nature. For all juſtice would be " of no force, yea, be utterly overthrown, if faults " of ſuch a nature ſhould be committed without " puniſhment. If you be innocent, you do wrong " to your credit, by flying from trial. You pro- " teſt yourſelf to be innocent, but queen Eliza- " beth, of another mind, and not without cauſe, " but truly to her great grief; therefore, to ex- " amine your innocency, ſhe hath ſent with au- " thority, moſt honourable, moſt wiſe, and moſt " upright men, who, with equity and with fa- " vour, are to hear you; and they will rejoice " from their heart, if you clear yourſelf of this " crime. Believe me, the queen herſelf will be " very glad, who ſaid to me at my departure, that " there could not a thing have happened more " grievous unto her, than that you are charged " with this fault.

" Wherefore, laying by the ſuperfluous privi- " lege of a royal eſtate, which can be now of no " uſe, make your appearance for a trial, ſhew your " innocency, leſt by ſearching of evaſions, you " draw upon yourſelf ſuſpicion, and purchaſe a " perpetual blemiſh of your reputation."

" I do not refuſe, ſaid ſhe, to anſwer in a full " parliament, before the eſtates of the kingdom be " fully called, ſo that I may be declared next in " ſucceſſion: yea, and before the queen and her " counſellors, ſo that my proteſtation may be ad- " mitted, and I may be acknowledged the next " kinſwoman of the queen. In plain terms, I " will not ſubmit myſelf unto the judgment of " mine adverſaries, by whom I know, all the de-

" fence

"fence I can make of mine innocency will not be "allowed and received."

The chancellor asked her, If ſhe would anſwer if her proteſtations were admitted: ſhe anſwered, "I will never ſubmit me to the new law, men- "tioned in the letters-patents." Hereupon the treaſurer replied, Yet we will proceed to-morrow though you be abſent, and continue obſtinate in the cauſe. She ſaid, "Search and examine your "conſciences, have regard to your honour, God "will requite you and your heirs for your judg- "ment upon me."

On the next day, being the fourteenth day of October, ſhe ſent for ſome of the commiſſioners, and requeſted, that the proteſtation might be admitted and allowed.

The treaſurer asked her whether ſhe would come to trial, if the proteſtation were only received, and put into writing without being admitted.

At length ſhe condeſcended, but much againſt her will, leſt ſhe, as ſhe ſaid, might ſeem to derogate from her predeceſſors or ſucceſſors; adding, that ſhe was very deſirous to clear herſelf of the crime objected, being perſuaded by the reaſons of Hatton, which ſhe had better thought on.

Hereupon the commiſſioners that were preſent, aſſembled in the Preſence-Chamber. There was a chair of ſtate ſet under a canopy in the upper part of the chamber, for the queen of England; againſt it, lower and farther off, near to the rails, a chair for the queen of Scotland; cloſe to the walls on both ſides, benches, or forms; on which, on the one ſide, ſat the chancellor of England, the treaſurer of England, the earls of Oxford, Kent, Derby, Worceſter, Rutland, Cumberland, Warwick, Pembroke, Lincoln, and viſcount Montacute

cute; on the other ſide, the lords Abergavenny, Zouch, Morley, Stafford, Grey, Lumley, Sturton, Sandys, Wentworth, Mordaunt, St. John of Bletſo, Compton, and Cheney. Next to them ſat the knights of the privy-council; as James Croft, Chriſtopher Hatton, Francis Walſingham, Ralph Sadleir, Walter Mildmay, and Amias Powlet; forward, before the earls, ſat the two chief juſtices, and the chief baron of the Exchequer; on the other ſide, two barons, and other juſtices, Dale and Ford, doctors of the civil law; at a little table in the middle, ſat Popham the queen's attorney, Egerton the ſollicitor, Gawdy the queen's ſerjeant at law, the clerk of the crown, and two clerks.

When ſhe was come, and had ſet herſelf in her ſeat, ſilence being made, Bromley the chancellor, turning to her, made a ſhort ſpeech to this purpoſe: "The moſt high and mighty queen of "England, being certified, to her great grief and "anguiſh of mind, that you have plotted both "the deſtruction of her and of England, and alſo "of religion; according to the duty due unto "God, herſelf, and people; in the which, leſt "ſhe ſhould fail, and out of no malice of mine, "hath appointed theſe commiſſioners, who may "hear what things are objected againſt you, and "how you can clear yourſelf from the crimes laid "againſt you, and ſhew your innocence."

She riſing up, ſaid, that ſhe came into England "to ſeek and requeſt aid, which was promiſed her, "nevertheleſs, that ſhe was detained in priſon ever "ſince that time. She proteſted, that ſhe was "not ſubject to the queen, neither was to be "forced, or compelled to be brought in, or tried "before the commiſſioners, or any other judge, "for any cauſe whatſoever, but only God alone,

"the

"the ſovereign judge of all, leſt that ſhe ſhould "do wrong and injury unto her own royal ma- "jeſty, her ſon the king of Scotland, her ſucceſ- "ſors, or any other abſolute princes; but now "ſhe was there in perſon to refel the crimes ob- "jected againſt her."

And ſhe requeſted her friends or ſervants to witneſs theſe things. The chancellor not acknowledging that help was promiſed, anſwered, "That "this proteſtation was to no purpoſe; for that "whoſoever, of whatſoever rank or eſtate he were "in England, did offend againſt the laws of Eng- "land, may be made ſubject to the ſame, and "may be examined and judged by the late new "law. And that therefore that proteſtation made "to the prejudice of the laws, and of the queen "of England, was not to be admitted."

Yet the commiſſioners commanded, as well her proteſtation, as the anſwer of the chancellor, to be recorded. Then the letters-patents, which were founded upon the act of parliament, being read aloud, ſhe with a great courage made a proteſtation againſt that act, as made directly and purpoſely againſt her, and in this matter put it to their conſcience; and, when the treaſurer anſwered, that every man in this realm was bound to the obſervation of the laws, though never ſo lately made, that ſhe ſhould not ſpeak in diſparagement of the laws; and that the commiſſioners would judge, by virtue of that law, whatſoever proteſtations or appellations ſhe made. At length, ſhe ſaid ſhe was ready and prepared to anſwer concerning any act whatſoever, done againſt the queen of England.

Then Gawdy explained the act in every point, and affirmed, that ſhe had offended againſt it; and then he made an hiſtorical narration of Babington's

ton's conſpiracy, and concluded, that "ſhe knew "of it, allowed it, promiſed help, and ſhewed "ways and the means." She, with great reſolution anſwered, "That ſhe knew not Babington, "never received letters from him, nor never "wrote unto him, never plotted the deſtruction "of the queen: and that, to prove it effectually, "the ſubſcription under her own hand was to be "produced. She never heard ſo much as any "man ſpeak it: that ſhe knew not Ballard, never "maintained him; but that ſhe had heard, that "the catholics were much aggrieved with many "things; and that ſhe certified the queen there-"with in her letters, and had earneſtly deſired "her to have pity of them: and that many, ut-"terly to her unknown, had offered their ſervice "unto her, yet that ſhe never moved any to any "wickedneſs: and that ſhe, being ſhut up in pri-"ſon, could neither know, nor hinder the things "which they attempted."

Upon this, from the confeſſion of Babington, it was urged, that there paſſed an intercourſe of letters between her and Babington. She acknowledged, that ſhe had a correſpondence with many by letters, nevertheleſs, it could not be concluded from thence, that ſhe knew of all their practices. She requeſted, that a ſubſcription with her own hand might be produced; and ſhe aſked, who could be hurt by it, if ſhe had requeſted to have letters detained almoſt a whole year. Then the copies of the letters of Babington were read, in which all the plot was deſcribed.

She ſaid, "As concerning theſe letters, it may "be that Babington might write, but let it be "proved that I received them: if Babington, or "others have affirmed this, I ſay in plain terms, "they lie. Other mens faults are not to be laid

"on

" on my back. A packet of letters, which was " detained almoſt a year, came about that time to " my hands, but truly I know not by whom it was " ſent to me."

To prove that ſhe had received Babington's letters, the heads of the letters which he confeſſed he had wrote in anſwer to her's, were re-read.

In like manner, particulars taken from the confeſſions of Ballard and Savage were read; who confeſſed that Babington had communicated to them letters received from the queen of Scotland. She affirmed, that Babington had received none from her, yea rather, that ſhe had been angry with them that ſecretly ſuggeſted, and gave counſel about the invading of England, and warned them to beware and take heed.

Then were ſhewn the letters, in which the plot of Babington was commended and approved. She aſked to have the copy of them, and affirmed, That they came not from her, but perhaps out of her alphabet of cyphers in France; that ſhe had laboured to get her liberty, which is a thing natural to all men, and to have treated with her friends to uſe means to deliver her: nevertheleſs, unto many, whom ſhe was not diſpoſed to name, who offered their ſervice, ſhe had not anſwered a word, but that ſhe much deſired to turn away the ſtorm of perſecution from the catholics; and that ſhe intreated the queen thereunto, that ſhe would not get a kingdom with the blood of the meaneſt of all the commons. That there are many who attempt things pernicious without her knowledge, and, in ſome letters which ſhe had received very lately, ſome had begged pardon of her, if they attempted any thing without her privity. That it was an eaſy matter to counterfeit the characters and cyphers, as a young man, who had boaſted himſelf

himſelf to be the baſtard brother to her ſon, did very lately in France. That ſhe alſo feared leſt this was contrived by Walſingham, who, as ſhe had heard it muttered, had plotted againſt the life of her and her ſon. She proteſted that ſhe never thought to hurt or kill the queen, but that ſhe had rather more willingly beſtow her life, than that the catholics ſhould be afflicted ſo often, and loſe their lives with ſuch grievous torments for her ſake, and in hatred of her.

"But," ſaid the treaſurer, "none who was an "obedient ſubject was put to death for religion, "but many were for treaſon, maintaining the "pope's authority and bull againſt the queen." "But," ſaid ſhe, "I have heard otherwiſe, and I "have read it alſo in printed books." "The "writers of ſuch books," replied he, "wrote "alſo that the queen was deprived of her royal "dignity."

Walſingham, who perceived himſelf reflected on, roſe up, and proteſting that his mind was not poſſeſſed with any ill-will, ſaid, "I call God to "witneſs, that I, as a private man, have done "nothing not beſeeming an honeſt and upright "man; neither for the public perſon which I bear, "have I done any thing which doth not belong un- "to my place. I confeſs that I have been careful of "the ſafety of the queen and the realm, and have "curiouſly ſought to find the plots againſt her. "If Ballard had offered me his ſervice, I had not "refuſed it, and had recompenſed him for his "travail and pain taken. If I have plotted any "thing with him, why did he not tell it out, that "he might have ſaved his life?"

She ſaid that ſhe was ſatisfied with this anſwer. She requeſted him not to be angry, for that ſhe ſo freely ſpoke what ſhe had heard; and, that he would

would not believe more them that ſlandered her, than ſhe did them that defamed him: that ſpies were men not to be truſted, for they diſſemble one thing and ſay another: that he would by no means believe that ſhe conſented to hurt or kill the queen. And then, ſhedding a flood of tears, ſhe ſaid, "I will never caſt away my ſoul, in con-"ſpiring to kill my moſt dear ſiſter."

The lawyers made anſwer, That it would be proved by teſtimonies preſently.------This paſt before noon.

In the afternoon, to corroborate the former evidence, the copy of the letters which Charles Paget wrote, was produced; and Curlus, one of her ſecretaries, witneſſed, that ſhe received letters concerning the conference between Mendoza and Ballard about the deſign of invading England. She anſwered, "This is nothing to the matter; neither "doth it prove, that I conſented to hurt or kill "the queen."

The lawyers went on to prove, that ſhe was privy to the conſpiracy, and alſo conſpired to kill the queen, from the confeſſion of Babington, and the letters between her and Babington; in which he had ſaluted and ſtiled her, His high and mighty lady and queen.

They added, that there was a deſign formed to aſſign the kingdom of England to the king of Spain. She acknowledged that a prieſt came to her, and ſaid, If ſhe did not prevent it, that both ſhe and her ſon ſhould be excluded from their inheritance: but ſhe would not tell the name of the prieſt. She likewiſe ſaid, that the Spaniard challenged a right to the kingdom of England, and would not yield to any but her.

Then they preſſed her with the teſtimonies of Navus and Curlus, her ſecretaries, from the con-

feſſion of Babington, and the letters that paſſed between Babington and her; and all the credit of their proofs depended upon their teſtimony, and yet they were not confronted by the queen. She acknowledged Curlus to be an honeſt man, but not a ſufficient witneſs againſt her: that Navus, formerly ſecretary to the cardinal of Lorraine, recommended to her by the French king, might be eaſily induced, either by bribes, hope, or fear, to bear falſe witneſs, as one who ſeveral times had made raſh oaths, and ſuch an aſcendant over Curlus that he would write whatſoever he bade him; and it was probable that they inſerted things in her letters which ſhe never indited; and received letters which ſhe never ſaw. She then broke out into theſe or the like words:

"The majeſty and ſafety of princes will be of "ſmall authority, and be contemned, if they do "depend on the writings and teſtimonies of their "ſecretaries. I did indite unto them nothing "but that which Nature hath taught me, that I "might recover and get my liberty at laſt; nei-"ther am I to be convinced, but out of my own "words or writing. If they have written any "thing that may be hurt and damage to my moſt "dear ſiſter, unwitting to me, let them be pu-"niſhed for their inconſiderate boldneſs. I cer-"tainly know, if they were here preſent, they "would, in this cauſe, acquit me of this fault; "and, if I had my papers here, I could anſwer "unto theſe things in particular."

Amongſt other things, the treaſurer objected, that ſhe had determined to ſend her ſon into Spain, and to aſſign over to the Spaniard the right that ſhe challenged to the kingdom of England. She anſwered, That ſhe had no realm that ſhe could give

give away; but yet it was lawful to give away her own things at her will and pleaſure.

When the alphabets of cyphers conveyed to Babington, the lord Lodovick, and to the lord of Fernihurſt, were objected to her from the teſtimony of Curlus, ſhe did not deny, but that ſhe had ſet down more; and, among the reſt, that for the lord Lodovick, at ſuch time as ſhe commended him and another unto the dignity of a cardinal, and, as ſhe hoped without offence, foraſmuch that it was no leſs lawful for her to have commerce of letters, and treat of her affairs, with men of her religion, than it was for the queen, with the profeſſors of the other religion.

Then they preſſed her harder, with the united teſtimonies of Navus and Curlus repeated again; and ſhe alſo repeated her former anſwers, or elſe poſitively denied what they charged her with, proteſting again, that ſhe neither knew Babington nor Ballard.

Among theſe ſpeeches, when the treaſurer objected, that ſhe knew Morgan, who ſecretly ſent Parry to kill the queen, and had given him an annual penſion, ſhe replied, ſhe knew that Morgan had loſt for her cauſe all that he had, and therefore ſhe was bound in honour to relieve him; and, that ſhe was not bound to revenge an injury done by a well-deſerving friend unto the queen, but yet, that ſhe had terrified him from making any ſuch attempts: "But yet penſions," ſaid ſhe, "were given out of England unto Patrick Grey, "and to the Scots that were mine enemies, as "likewiſe to my ſon."

The treaſurer anſwered: "At ſuch time as the "revenues of the kingdom of Scotland were much "diminiſhed and impaired by the negligence of "the viceroys, the queen gave ſome liberality

"unto the king your ſon, her moſt near allied "couſin."

Afterwards the contents of the letters to Inglefield, the lord Paget, and Bernardino de Mendoza, concerning foreign aid, were produced: and when to thoſe ſhe had made anſwer, "Theſe things "touch not, nor concern the death of the queen;" and, if ſo be that ſtrangers deſired and laboured to deliver her, it was not to be objected againſt her; and, that ſhe had ſundry times ſignified unto the queen that ſhe would ſeek for her liberty; the trial was adjourned to the next day.

On the next day ſhe repeated again her former proteſtation, and requeſted, that it might be ordered, and a copy of it delivered to her, lamenting, That the moſt reaſonable conditions which ſhe had propounded oftentimes to the queen, were always rejected; yea, when ſhe promiſed to give her ſon, and the ſon of the duke of Guiſe, for hoſtages, that the queen, or the kingdom of England, ſhould take no harm by her. That ſhe ſaw, long ere now, that all ways of liberty were ſtopped, but now that ſhe was moſt baſely uſed, to have her honour and eſtimation called in queſtion before petifoggers and lawyers, who drew every circumſtance into conſequence by their quiddities and tricks, ſince that anointed and conſecrated princes are not ſubject, nor under the ſame laws, that private men are. Moreover, when they have authority and commiſſion given them of examining, things tending to the hurt of the queen's perſon, yet, notwithſtanding the cauſe is ſo handled, and letters wreſted, that the religion which ſhe profeſſeth, and the immunity and majeſty of foreign princes, and the private commerces between princes, are called in queſtion, and ſhe below her royal dignity is brought to the bar, as it were to

be

be arraigned, and to no other purpoſe, but that ſhe may be wholly excluded from the favour of the queen, and from her right in the ſucceſſion, when ſhe appeared voluntarily to confute all objections, leſt ſhe might ſeem to have been ſlack in the defence of her honour and credit.

She reminded them, how Elizabeth herſelf had been drawn into queſtion for the conſpiracy of Wyat, when ſhe yet was moſt innocent; religiouſly affirming, That, although ſhe wiſhed the good and welfare of catholics, yet ſhe would not have it done by the death and blood of any one. That ſhe had rather play the part of Heſter than of Judith; make interceſſion unto God for the people, rather than to take away the life of the meaneſt of the people.

And then appealing to the majeſty of God, and to the princes allied to her, and repeating again her proteſtation, ſhe requeſted that there might be another aſſembly about this matter, and that ſhe might have a lawyer aſſigned her; and, that ſince ſhe was a prince, that they would give credit to the word of a prince, for it was extreme folly to ſtand unto their judgment, whom ſhe moſt plainly ſaw to be armed with fore-judgments againſt her.

To this the treaſurer anſwered, "Since that I "bear a twofold perſon, the one of a delegate or "commiſſioner, and the other of a counſellor; "firſt, take of me a few things, as from a com-"miſſioner: your proteſtation is recorded, and "the copy thereof ſhall be delivered unto you. "We have authority given us under the queen's "own hand, and the great ſeal of England, from "the which there is no appellation. Neither come "we with a fore-judgment, but to judge according "to the rule and ſquare of juſtice. The lawyers "aim at no other thing, but that the truth may

"appear how far you now have offended againſt "the queen's perſon. We have full power given "us to hear and examine the matter; yea, in "your defence; yet we deſire to have you preſent, "leſt we ſhould ſeem to diminiſh your honour or "credit: neither have we thought to object unto "you any thing, but that you have done or at- "tempted againſt the queen's perſon. The letters "are read for no other purpoſe, but to lay open "the practice againſt the queen, and other things "pertaining thereunto, and are ſo mingled with "other things, that they cannot be ſeparated: and "therefore the whole letters, and not parcels "taken out of ſundry places of them, are read, "for as much as circumſtances do give credit unto "the things of which you dealt with Babington."

She interrupting him, ſaid, That the circumſtances might be proved, but not the deed; that her integrity depended not upon the credit and memory of her ſecretaries, though ſhe knew them honeſt: but yet, if they had confeſſed ſomething out of fear of the wreck, hope of reward, and of impunity, it is not to be admitted and received out of juſt cauſes, which ſhe may declare in another place: that the minds of men are carried away by ſundry kinds of affections; that they would never have confeſſed ſuch things, but either for gain or upon ſome hope: that letters may be directed unto other, than unto whom they are written; and, that many things which ſhe had not dictated, had many times been inſerted: if her papers had not been taken away, and that ſhe had a ſecretary, ſhe could with more eaſe confute their objections.

"But nothing," ſaid the treaſurer, "ſhall be "objected, but from the nine and twentieth day "of June; neither will the papers do any good, ſince

"ſince the ſecretaries, and Babington himſelf, "without torture, have affirmed you to have ſent "letters unto Babington; which thing, although "you deny, let the commiſſioners judge, whether "more credit is to be given unto their affirmation "or your denial. But to come to the matter; as "a counſellor I tell you this; you have made "many propoſitions about your liberty at ſundry "times; that nothing came thereof, was along of "you, or of the Scots, and not of our queen; for "the noblemen of Scotland abſolutely denied to "deliver the king for hoſtage: and, when laſt of "all there was a treaty for your delivery, Parry "was ſent ſecretly by Morgan to kill the queen." "Ah!" ſaid ſhe, "you are my profeſſed enemy." "Yea, rather," replied he, "I am an enemy to "the enemies of queen Elizabeth. But enough "of theſe things; let us therefore proceed unto "proofs:" when ſhe denied to hear. "Yet we "will hear," ſaid he: "And I alſo," ſaid ſhe, "in another place, and will defend myſelf."

Then the letters to Charles Paget were read again; in which ſhe told him, there was no other way for the Spaniard to bring the Netherlands into ſubjection, but by placing a prince in England who might aſſiſt him. The letters to the lord Paget to haſten aid and forces to invade England: the letters of cardinal Allan, in which he ſaluted her as his high and ſovereign lady, and ſignified that the buſineſs was recommended to the care of the prince of Parma.

As theſe were reading, ſhe interrupted them, ſaying: That Babington and her ſecretaries accuſed her to excuſe themſelves; that ſhe never heard of the ſix ruffians; that the other things were not to the matter; that ſhe eſteemed Allan to be a reverend prelate; that ſhe did acknowledge no other

head of the church, than the pope of Rome; that ſhe was not ignorant in what regard and eſtimation ſhe was with him and with foreign princes, nor could ſhe hinder it, if they in their letters called her queen; that her ſecretaries, ſince they did againſt their office, faith and fidelity, confirmed by oath unto her, deſerved no credit; that there was no credit to be given to them that were once forſworn, though they ſwore again by all the oaths of God; neither that they did think themſelves tied, with any oath whatſoever, in conſcience, ſince that they have ſworn unto her before that loyalty and ſecrecy, neither for that they were not ſubjects of England: that Navus had written oftentimes otherwiſe than ſhe had dictated; and, that Curlus had written all whatſoever Navus had bidden; but that ſhe would maintain and uphold their faults in all things, but thoſe that might blemiſh her honour. Perhaps alſo, theſe fellows did confeſs to do themſelves a benefit, whilſt they might think not to hurt her, with whom, as with a queen, they thought mildneſs ſhould be uſed: that ſhe heard nothing of Ballard, but of one Hallard, who had offered his ſervice, which yet ſhe had refuſed, for that ſhe had heard that the ſame man had been belonging to Walſingham.

Afterwards, when the notes from the letters to Lodovick, which Curlus acknoledged that he had wrote in a private character, were read before her, it was infered from them, that ſhe had formed a deſign to transfer the right to the kingdom to the Spaniard; and, that Allan and Parſons ſtayed at Rome for that purpoſe.

She, complaining that her ſervants had violated their fidelity confirmed by oath, anſwered, "When "I, being in priſon, and languiſhed with care, "without hope of liberty, and there was not any

"more

"more hope left of ever bringing to paſs thoſe "things, which very many expected of me in my "ſickneſs and declining age; many thought it "fit that the ſucceſſion of the realm of England "ſhould be eſtabliſhed in the Spaniard, or in a ca-"tholic Engliſhman; and a book was brought to "prove the right of the Spaniard; which being "not admitted by me, I offended many: but all "my hope in England being now deſperate, I am "reſolved not to reject foreign help."

The ſollicitor admoniſhed the commiſſioner ſecretly what might become of them, their honours, goods, and poſterity, if the kingdom ſhould be ſo transferred; but the treaſurer proved that the kingdom of England could not be transferred, but was to deſcend by the right of ſucceſſion, according to the laws.

She requeſted that ſhe might be heard in a full and open parliament, or that ſhe herſelf might ſpeak to the queen, whom ſhe hoped would reſpect a queen, and the counſellors. And then riſing from her ſeat with a cheerful countenance, ſhe ſpoke a few words aſide with the treaſurer, Hattoe, Walſingham, and the earl of Warwick.

Theſe things being done, the aſſembly was adjourned to the five and twentieth day of October, in the Star-chamber at Weſtminſter.

Theſe facts are taken from the commentaries of Edward Barker, principal regiſter to the queen; Thomas Wheeler, a notary public, regiſter of the audience of Canterbury, and other credible perſons that were preſent.

And in this manner the queen thought proper to have her tried, though the lawyers, who are ſo much attached to form, that, according to their form of law, ſhe was to be called to trial in the county of Stafford, and to be brought to hold up her

her hand at the barr publicly before the bench, and to be tried by twelve, ſaying this was a proper method of proceeding againſt a prince. To avoid ſuch abſurdities, ſhe thought it better to refer ſo great a cauſe to the noblemen of the land, and to the judges: "and this ſcarce ſuffices when," ſaid ſhe, "all men's eyes are caſt upon us princes, as "being ſet aloft as on a high ſcaffold; ſo that in "us even the leaſt blemiſh or ſpot is ſeen afar off; "ſo that we are carefully to provide that we do no-"thing unworthy of ourſelves."

But to return: on the day before-mentioned met all the commiſſioners (but the earls of Shrewſbury and Warwick, who were then ſick) and, after that Navus and Curlus had affirmed and confirmed before them, that every and ſingular the letters and copies of letters, which were produced before, were moſt true upon their oaths, viva voce, voluntarily without hope or reward, the ſentence againſt the queen of Scotland was pronounced and confirmed with the ſeals and ſubſcriptions of the commiſſioners, and recorded in theſe words:

"By their aſſent, conſent, and accord, they do "pronounce, give, and ſay their ſentence and "judgment, at the day and place laſt rehearſed, "that, after the end of the aforeſaid ſeſſion of par-"liament, ſpecified in the aforeſaid commiſſion; "viz. after the aforeſaid firſt day of June, in "the twenty-ſeventh year aforeſaid, and before "the date of the ſaid commiſſion, divers things "were imagined and compaſſed within this realm "of England, by Anthony Babington, and others, "with the privity of the ſaid Mary, pretending ti-"tle unto the crown of this realm of England, "tending to the hurt, death and deſtruction of the "royal perſon of our ſaid lady the queen. And

"to

" to wit, that, after the aforeſaid firſt day of June, " in the ſeven and twentieth year aboveſaid, and " before the date of the aforeſaid commiſſion, the " ſaid Mary pretending title unto the crown of this " realm of England, compaſſed and imagined " within this realm of England divers things tend- " ing to the hurt, death, and deſtruction of the " royal perſon of our lady the queen, againſt the " form of the ſtatute ſpecified in the aforeſaid " commiſſion."

This ſentence, which depended wholly on the credit of the ſecretaries, who had not been confronted with the queen of Scotland, according to the firſt ſtatute of the thirteenth year of queen Elizabeth herſelf, made various impreſſions on the different opinions of men; ſome judging them unworthy of credit, whilſt others again thought they ſhould be believed.

The ſame day it was declared by the commiſſioners, and by the judges of the realm, That that ſentence did derogate nothing from James, king of Scotland, in his right or honour; but him to be in the ſame place, eſtate and right, as if that ſentence had not been given at all.

In a ſhort time after, there was a parliament held at Weſtminſter, in which the ſtates of the kingdom, who had approved and confirmed by their votes the ſentence pronounced againſt the queen of Scotland, by unanimous conſent, delivered by the chancellor to the queen a petition, in which they moſt earneſtly beſought her, that, for the preſervation of the true religion, the tranquillity of the realm, ſafety of the queen, the welfare of them and their poſterity, the ſentence againſt queen Mary of Scotland, according to the law, might be publiſhed.

They

They derived their reaſons from the dangers impending over their religion, her royal perſon, and realm, by her who, nurſed up in the religion of the papiſts, and ſworn one of the holy league to root out the religion of the proteſtants, had long claimed the realm as due to her, and had thought it highly meritorious to oppoſe a woman excommunicated, and deprive her of her life.

She had ſubverted and overthrown the flouriſhing families of the realm, and promoted all the plots and tumults in England. To ſpare her, would be productive of ruin to the people, who would take it very ill if ſhe was ſuffered to eſcape without puniſhment; and would believe themſelves freed from the oath of the aſſociation, except ſhe was put to death.

Laſtly, they reminded her what fearful examples of divine vengeance there were againſt king Saul for not killing Agag, and upon Acah for not killing Benadad. Such was the purport of their addreſs.

The queen being greatly affected with the repreſentations made her by her ſubjects, often uttered ſuch expreſſions as theſe, "Either bear it, or "ſtrike home: Kill, leſt thou be killed: and ſome time after, ſhe delivered to Daviſon, one of her ſecretaries, letters ſigned with her hand, that a mandate ſhould be made under the great ſeal of England for the execution of queen Mary, which might be ready in caſe of any danger; and commanded him not to communicate the matter to any man. But, on the next day, ſhe changing her mind, commanded Daviſon, by William Killigrew, that the mandate ſhould not be made up.

He forthwith came to the queen, and told her, that the mandate was made and ſealed with the great ſeal. She reproved him for making ſuch haſte;

haſte; nevertheleſs he communicated the mandate and buſineſs to the queen's counſellors; and perſuaded them, who quickly believed what they deſired, that the queen commanded that it ſhould be put in execution without delay.

Beale, than whom there was nobody more diſaffected to the queen of Scotland on account of religion, was ſent with one or two executions and letters, which authority was given to the earls of Shrewſbury, Kent, Derby, and Cumberland, with others, to put her to death according to the laws, without the queen's knowledge; and though, at that very time, ſhe had ſignified to Daviſon, that ſhe would take another courſe about the queen of ſcotland, yet he did not call Beale back.

As ſoon as the earls arrived at Fotheringhay, they came to her, with Amias Powlet and Drewgh Drury, in whoſe cuſtody ſhe was; and ſignified the cauſe of their coming, reading the mandate; and, in few words, admoniſhed her to prepare herſelf for death; for that ſhe was to die next day. She, without fear, and with a ſettled mind, ſaid, "I did not think that queen Elizabeth, my ſiſter, "would have conſented unto my death; for I am "not ſubject unto your law; but, ſince it is "otherwiſe, death ſhall be unto me moſt wel-"come; neither is that ſoul worthy of the hea-"venly and everlaſting joys, whoſe body cannot "endure one blow of the hangman."

She requeſted that ſhe might confer with her almoner, her confeſſor, and with Melvin her ſteward. They in plain terms refuſed that her confeſſor ſhould come to her; and the earls commended the biſhop or dean of Peterborough to comfort her; whom, when ſhe had rejected, the earl of Kent being a bigot in religion, turned to her, and, amongſt other words, broke out into theſe:

theſe: "Thy life will be the deſtruction of our "religion, as, on the other ſide, thy death will "be the life of the ſame."

Mention being made of Babington, ſhe conſtantly and utterly denied that ſhe knew of his plots; left the revenge to God: and, being queſtioned concerning that which was done by Navus and Curlus, ſhe aſked, if ever it was heard, that the ſervants were ſuborned and admitted as witneſſes to the death of their maſters.

When the earls were departed, ſhe commanded them to make haſte with her ſupper, that ſhe might ſet things better in order. She ſupped ſparingly and ſoberly, as her manner was. At ſupper-time, ſeeing her men and maid-ſervants weeping, with an undaunted mind, ſhe bid them be of good cheer, and abſtain from ſorrow, but rather rejoice; for that ſhe was to depart preſently out of an abyſs of evil, and turning to Burgon her phyſician, aſked him, if he did not obſerve, that the force of truth was great. "They ſaid, I muſt "die, for that I was of counſel to kill the queen; "nevertheleſs, the earl of Kent inſinuateth, that "there is no other cauſe of my death, but that "they fear their religion, by reaſon of me. Nei"ther is my offence againſt the queen, but their "fear they have of me, hath haſtened and pro"cured my death, whilſt many ſeek privately "their own ends and purpoſes, under the bor"rowed cloak of religion and the public good."

Toward the end of ſupper, ſhe drank to all her ſervants, who pledged her on their knees in their order, mingling their tears with the wine, and aſking pardon for the neglect of their duty, as ſhe alſo of them.

After ſupper, ſhe read over her teſtament, read alſo the inventory of her goods and moveables, and

and writ on them the names of them to whom ſhe bequeathed them; to ſome ſhe gave money with her own hand. She writ to her confeſſor, to pray to God for her; and alſo, ſhe wrote letters of commendation to the French king, and to the duke of Guiſe, for her ſervants. She went to bed at her ordinary hour, and ſlept ſome hours; being awaked, ſhe ſpent the reſt of the night in prayers,

The fatal day beginning to break, ſhe dreſſed herſelf as ſhe uſed to do on feſtival days, and calling her ſervants together, read over her will, and requeſted them to take in good part the legacies ſhe gave, ſince her ability was not to beſtow any more; and then, ſetting her mind upon God, with all humility, in her chapel, beſought him to give her his grace and favour, with ſighs, tears, and prayers, till Thomas Andrews, ſheriff of the ſhire, told her that ſhe was to come forth. She came forth majeſtically, in ſtature, beauty, and ſhew, with a chearful countenance, matron-like apparel, and very modeſt, her head being covered with a linen veil, which hung very low, her beads hanging down at her girdle, and carrying a crucifix of ivory in her hands.

In the gallery, the earls and other gentlemen received her, where Melvin her ſervant, on his knees, and with tears in his eyes, lamented his fortune, that he ſhould carry this heavy and ſad news of the very woful death of his lady into Scotland. She comforting him, ſaid, "Do not "lament, but rather be glad, thou ſhalt ſtraight-"way ſee Mary Stuart delivered and freed from "all her cares. You may tell them that I die "conſtant in my religion, and firm in fidelity to-"ward Scotland and France; God forgive them "who have thirſted for my blood, as the hart

"doth

" doth after the ſpring of water. Thou, our God, " who art truth itſelf, and perfectly and thorough- " ly doſt know the moſt ſecret corners of my heart, " doſt know how much I deſire that the realms " of England and Scotland might be united in " one. Salute my ſon, and certify him, that I " have done nothing that may be prejudicial unto " the kingdom of Scotland; will him to keep " friendſhip with the queen of England; and ſee " that thou ſerve him faithfully."

And then tears falling from her eyes, ſhe bid Melvin farewel again and again. And, turning to the earls, ſhe requeſted, That her ſervants might be courteouſly uſed; and that they might enjoy thoſe things which ſhe had bequeathed them, that they might ſtand by at her death, and be ſent into their country with a ſafe-conduct.

They promiſed the firſt; but the earl of Kent ſeemed perplexed, fearing ſome ſuperſtition. She ſaid, " Fear not, theſe wretches deſire to give me " their laſt farewell. I know my ſiſter Elizabeth " would not deny me ſo ſmall a favour, as to have " my maids to be preſent, if it be but for woman- " hood ſake. I am moſt near of kin unto her; " I come from king Henry the Seventh; I am " queen dowager of France, and the anointed " queen of Scotland."

When ſhe had ſaid thus, and turned away, ſhe was permitted to have ſuch of her ſervants preſent as ſhe pleaſed. She nominated Melvin, Burgoin her phyſician, the apothecary and ſurgeon, and two maids, and others; of which Melvin bore up her train. So, the gentlemen, two earls, and the ſheriff of the ſhire going before her, ſhe came to the ſcaffold, which was ſet up in the upper end of the hall; in which was a chair, a cuſhion, a block, and all covered with black cloth.

As

As ſoon as ſhe ſate down, ſilence being made, Beale read the commiſſion, and ſhe heard attentively, as if it had been another matter. Then Fletcher, dean of Peterborough, began a tedious ſpeech to her of the condition of her life formerly paſt, and the preſent, and that to come. Once or twice ſhe interrupted his ſpeech, and deſired him not to trouble her, and proteſted that ſhe was ſettled in the ancient catholic religion, and was ready to end her life in the ſame. And, when he perſuaded her earneſtly do true penance, and with a firm faith to put her hope in Chriſt, ſhe anſwered, "That ſhe was born and bred, and would "now end her life in that religion. And to the earls, who ſaid they would pray for her, ſhe ſaid, "She would give them many thanks if they would "pray with her; but I ſhould offend much, if I "did communicate in prayer with you who are of "another profeſſion."

Then they bid the dean pray; and, when the whole company there aſſembled, prayed together, ſhe falling on her knees, carrying the crucifix before him in her hands, together with her ſervants, prayed in Latin out of the office of our Lady.

After the dean had ended his prayers, ſhe, in the Engliſh tongue, commended to God the church, her ſon, and queen Elizabeth; and beſought him to avert his indignation from this iſle, and profeſſed that ſhe repoſed her hope in the blood of Chriſt, (lifting up the crucifix) and deſired all the company of heaven to make interceſſion to him for her; ſhe forgave all her enemies, and kiſſing the crucifix, and ſigning herſelf with the croſs, ſhe ſaid, "As thy arms, O Chriſt, "were ſpread abroad on the croſs, ſo, with the "ſtretched-out arms of thy mercy receive me, "and forgive me my ſins."

Then ſhe forgave the executioners, who aſked pardon: and, when her maids had taken off her upper garments, ſhe haſtening them, they cried aloud; ſhe then kiſſed them, and, ſigning them with the croſs, ſmiled and bid them farewell. Her face being covered with a linen cloth, lying on the block, ſhe ſaid the pſalm, "In te Domine 'con fido, ne confundar in æternum. Thou will "let me never be confounded."

Then, as ſhe ſtretched out her body, and oftentimes repeated, "In manus tuus Domine com-"mendo ſpiritum meum, Into thy hands I com-"mit my ſpirit," her head was cut off at two blows. The dean ſaying aloud, "So let the ene-"mies of queen Elizabeth periſh," the earl of Kent ſaying the ſame, and the multitude ſighing and grieving at the ſpectacle.

Her body was embalmed, and was afterwards buried like a prince in the cathedral church of Peterborough. Her funeral was alſo kept moſt magnificently at Paris, at the expence of the Guiſes, who performed all the beſt offices of kindred for their couſin, both alive and dead, to their great honour.

In this lamentable manner ended her life. Mary queen of Scotland, the great grand-daughter of Henry VII, by his eldeſt daughter, in the forty-ſixth year of her age, and the eighteenth year of her captivity. A woman, moſt conſtant in her religion, endowed with a wonderful piety towards God, wiſdom above her ſex, and an uncommon beauty.

In her infancy, ſhe was paſſionately deſired for a wife, by king Henry the eighth of England, for his ſon Edward; and by Henry II. king of France, for Francis the dauphin. At the age of five years ſhe was carried into France, and at the age

age of fifteen years married to the dauphin. She flouriſhed and was queen of France one year and four months. Her huſband being dead, ſhe returned into Scotland, and was married again to Henry Stuart, lord Durky, and had by him James, the firſt monarch of Great-Britain. Toſſed and turmoiled by Murray, her baſtard brother, and other her ungrateful and ambitious ſubjects; depoſed from her kingdom, and obliged to fly into England; circumvented and entrapped (as men ſpeaking indifferently think) by ſundry Engliſhmen, careful of the preſervation of their religion and of the ſafety of the queen Elizabeth, and ſpurred on by others, deſiring much to reſtore the Roman religion; oppreſſed by the teſtimonies of her ſecretaries who were abſent, and (as it ſeemed) corrupted with rewards.

Near the grave, an epitaph in the Latin tongue was affixed, and ſoon after taken away.

" Maria Scotorum regina, regis filia, regis Gal-
" lorum vidua, reginæ Anglæ agnata, & hæres
" proxima, virtutibus regiis & animo regio ornata,
" jure regio, fruſtra ſæpius implorato, barbara &
" tyrannica crudelitate, ornamentnm noſtri ſeculi,
" & lumen vere regium extinguitur: eodemque
" nefario judicio & Maria Scotorum regina morte
" naturali, & omnes ſuperſtites reges, plebeii facti,
" morte civili mulctantur. Novum & inauditum
" tumulti genus, in quo cum vivis mortui inclu-
" duntur, hìc extat: cum ſacris enim divæ Mariæ
" cineribus omnium regum atque principum viola-
" tam, atque proſtratam majeſtatem hic jacere
" ſcito; & quia tacitum regale ſatis ſuperque reges
" ſui officii monet, plura non addo viator."

Which may be thus tranſlated:

MARY, queen of Scotland, daughter of a king, widow of the king of France, kinſwoman and next heir to the queen of England, adorned with royal virtues, and a princely ſpirit, having often, but in vain, implored the right of a prince; the ornament of our age, and the true princely light, is extinguiſhed by a barbarous and tyrannical cruelty: and, by the ſame wicked judgment, both Mary queen of Scotland is puniſhed with a natural death, and all kings living are made common perſons, and puniſhed, and made liable unto a civil death. A ſtrange and unheard kind of grant is here extant, in which the living are included with the dead; for, with the aſhes of this bleſſed Mary, know thou that the majeſty of all kings and princes lie here depreſſed and violated; and, becauſe the regal ſecret doth ſufficiently admoniſh kings of their duty, O traveller I ſay no more.

From this lamentable fate of ſo great a prince, the diſpoſition of the divine providence moſt evidently appeared, as ſome wiſe men have obſerved. For thoſe things which the queens, Elizabeth and Mary, chiefly wiſhed and ſtudied to procure, by this means came to paſs.

Queen Mary, which alſo ſhe ſaid at her death, deſired nothing more earneſtly, than, that the divided kingdoms of England and Scotland might be united in the perſon of her dear ſon: and the other wiſhed for nothing more than, that the religion by her eſtabliſhed in England, might be kept and preſerved with the ſafety and ſecurity of the people: and, that almighty God did hear their prayers, England, to her unexpected felicity, doth now ſee, and with great joy acknowledge.

As

As ſoon as word was brought to queen Elizabeth, that the queen of Scotland was put to death, ſhe not expecting it, heard it with great indignation. She looked heavily, and could not ſpeak a word, and ready to ſwoon for ſorrow; inſomuch, that ſhe put on mourning and grieved exceedingly. She cauſed her counſellors (being reproved and forbidden her preſence) to be examined, and commanded Daviſon to be brought into the Star-chamber; and, as ſoon as her grief would permit her, ſhe, in great haſte, wrote the following letter to the king of Scotland with her own hand, and ſent it by Mr. Robert Cary, one of the lord of Hunſdon's ſons.

"DEAR brother, I would to God you did "know, but not feel, with what incomparable "grief my mind is tormented and vexed, by rea-"ſon of the lamentable event which hath befallen "contrary to my mind and will, which you ſhall "underſtand fully by my couſin; foraſmuch as I "cannot abide and endure to ſet it down by write-"ing.

"I beſeech you, that, as God and many others "can bear witneſs unto my innocence in this mat-"ter; ſo I deſire you to believe, that, if I had "commanded it, I would never have denied the "ſame. I am not of that baſe mind, that for any "terror I ſhould fear to do that which is juſt, or "to deny it being done. I do not ſo degenerate "from my anceſtors, nor am I of ſuch an ignoble "mind.

"But, as it is not the part of a prince to cover "and cloak the ſenſe of his mind with words, ſo "will I never diſſemble nor gloſs mine actions; "but I will perform that they ſhall come to light, "and appear to the world in their colours. I

"would have you be aſſuredly perſuaded, that, as "I know that this was done upon deſert, ſo, if I "had imagined it, I would not have put it over "upon any other; neither yet will I impute that "to myſelf, which I did not ſo much as think. "He who ſhall deliver you theſe letters, ſhall ac-"quaint and impart other things unto you.

"As for me, I would have you to believe, that "there is none other who loveth you better, and "beareth better affection to you, or that will have "a more friendly care of you and your affairs. If "any one ſuggeſteth, or putteth other things into "your head, I would have you to think that he "beareth more good-will and affection to others "than to you.

"God almighty keep you in health, and preſerve "you always."

In the mean time that Mr. Cary was in his journey with theſe letters, Doviſon was brought into the Star-chamber before the commiſſioners appointed: viz. Chriſtopher Wray, lord-chief-juſtice of the King's-Bench, made for that time lord-keeper of the privy-ſeal; the archbiſhops of Canterbury and York; the earls of Worceſter, Cumberland, and Lincoln; the lords Grey and Lumley; James Croft, knight, comptroller of the queen's houſe; ſir Walter Mildmay, chancellor of the Exchequer; ſir Gilbert Gerrard, maſter of the Rolls; Edmund Anderſon, lord-chief-juſtice of the Common-Pleas; and Roger Manwood, lord-chief-baron of the Exchequer.

Before theſe commiſſioners, Popham, the queen's attorney, charged Daviſon with contempt of her majeſty, violation of his faith, and neglect of his duty; that whereas the queen, out of her inbred clemency, would not have the queen of Scotland, though

though condemned, to be put unto death, for cauſes known to herſelf, and not to be ſearched and pried into by others, could not be brought thereunto, neither by the eſtates of the kingdom, nor by her counſellors earneſtly urging her thereunto; nevertheleſs had commanded a mandate to be made for her execution, to prevent dangers that might enſue, and had committed it unto the fidelity and ſecrecy of Daviſon, he being her ſworn ſecretary; but forgetting truſt and duty, and in contempt of her majeſty, contrary unto which the queen had commanded, had imparted it unto the counſellors, and put it in execution, ſhe being utterly ignorant thereof.

Daviſon, with great modeſty, and quietly, yet with a good courage, anſwered, That he was ſorry that, in a moſt juſt cauſe of the queen of Scotland, and moſt weighty judgment againſt her, if ever there was any, that he ſhould trouble again the commiſſioners, if not with the loſs, yet, at leaſt, with the impairing of his reputation, which he eſteemed above all other things: but he was moſt aggrieved, that he was charged to have offended moſt contemptuouſly againſt her majeſty, who, the more ſhe had been bountiful to him, and he more bound for her bounty, his offence might ſeem more heinous.

If he ſhould acknowledge himſelf guilty of the crimes objected, he ſhould wrong his credit, which was dearer to him than his life. If he ſhould conteſt in his own defence with the queen, he ſhould do a thing unworthy of the obedience of a ſubject, the duty of a ſervant, and the fidelity of a ſecretary.

He proteſted before God and the commiſſioners, That, wittingly or willingly, he had done

nothing in this thing, but that which he was perſuaded in his conſcience the queen willed: in the which, if he had carried himſelf to do any hurt, either by unſkilfulneſs or by negligence, he could not chooſe but be grievouſly ſorry, and undergo willingly the cenſure of the commiſſioners.

As, concerning particulars, when the queen reproved him that he had ſealed the mandatum with the great ſeal in ſuch great haſte; he affirmed, That ſhe inſinuated, but did not expreſly bid him to keep it to himſelf. Neither did he think that he committed any fault againſt the truſt of ſilence put on him, ſince he never ſpake word of this matter, but unto the privy-counſellors.

With regard to his not having recalled the mandatum, after the queen had ſignified to him, that ſhe had changed her mind, he affirmed, That it was agreed that it ſhould be ſent forthwith, and execution done, leſt the common-wealth, or the queen, might take ſome harm.

Hereupon Egerton, the ſollicitor, began to preſs Daviſon for his own confeſſion, reading a piece of it; but he requeſted him to read it all, and not this piece and that piece; but yet he had rather that it ſhould not be read at all, becauſe therein ſome ſecrets not to be uttered were contained; and now and then interrupting him, he ſaid, That, as he would not conteſt with the queen, ſo he could not endure that his modeſty ſhould be any detriment unto the truth and his integrity.

Gaudy and Puckering, ſerjeants at law, reproved him ſharply for having craftily abuſed the wiſdom of the counſellors; and, from the confeſſion of Burleigh the treaſurer, to whom (doubting whether the queen had determined on the execution,

tion) he affirmed it very earneſt, as he did alſo to the reſt, who ſet their hands to the letters of the manner of the execution.

Daviſon, with tears in his eyes, begged the lawyers not to preſs him ſo vehemently; and entreated them to remember that he would not conteſt with the queen, unto whoſe conſcience, and unto the cenſure of the commiſſioners, he committed himſelf wholly.

To conclude, by their general ſentence, he was fined ten thouſand pounds, and impriſoned at the queen's pleaſure.

Daviſon requeſted the commiſſioners to make interceſſion to the queen for him, not for the honourable place of ſecretary, which he had, or his liberty, or for diminiſhing of the fine impoſed, but that he might be reſtored unto her favour; which he never recovered, though ſhe oftentimes relieved his wants. So Daviſon, an honeſt man, without policy, and not ſkilful in affairs of ſtate, was brought, as moſt men thought, upon the ſtage amongſt the ſtateſmen, to play his part a while in this tragedy, and ſtraight had his diſguiſe pulled off, and, as if he had failed in the laſt act, was thruſt from off the ſtage, and kept long in priſon, but not without being pitied by many.

The apology which Daviſon made for himſelf to Walſingham, we ſhall here give in his own words:

"After the departure of the French and Scottiſh "embaſſadors, the queen of her own mind com- "manded me to ſhew unto her the mandate of the "execution of the ſentence againſt the queen of "Scotland: and it being ſhewn, ſhe willingly "ſigned with her hand, and commanded it, being "thus ſigned, to be ſealed with the great ſeal of "England; and jeſting, ſaid, Signify this thing "unto

" unto Walſingham (who was ſick) yet I fear " much that he will die for ſorrow thereof.

" Moreover, ſhe ſaid that the cauſes of the de- " laying thereof, were, leſt ſhe ſhould ſeem to be " thought to be drawn thereunto upon violence or " malice, when yet ſhe knew that it was very ne- " ceſſary.

" Moreover, ſhe blamed Powlet and Drury that " they had not freed her of this care, and wiſhed " that Walſingham would try their minds in this " matter.

" On the next day, when it was ſealed with the " great ſeal, ſhe commanded, by Killegrew, that " it ſhould not be done; and, when I told her it " was already done, ſhe reprehended ſo much " haſte, inſinuating that ſome wiſe men thought " another way might be taken. I anſwered, that " the courſe which was moſt juſt, was always the " beſt and moſt ſafe: but, fearing ſhe would lay " the fault upon me, as ſhe laid the duke of Nor- " folk upon Burleigh) I communicated all the " matter unto Hatton, proteſting that I would not " thruſt myſelf into ſo great a buſineſs. He pre- " ſently imparted it unto Burleigh, Burleigh unto " the reſt of the counſellors, who all gave their " conſent to the quick diſpatch of the execution; " and every one vowed to ſtand to it, and to ſtick " one to another; and ſent Beale with the mandate " and letters.

" The third day after, when I perceived that " her mind wavered, hearing her tell a dream of the " death of the queen of Scotland, I aſked, if ſhe " had changed her mind? She ſaid no: but, ſaid " ſhe, another way might have been invented: " and withal aſked, if any anſwer were come from " Powlet: and, when I had ſhewed his letters, " wherein, in plain terms, he refuſed to take upon

" him

" him that which was neither honourable nor juſt,
" ſhe, chafing, ſaid, that he and others, who had
" taken the oath of aſſociation, were perjured and
" forſworn men, as they who had promiſed many
" things, but would perform nothing. But I
" ſhewed how unjuſt and infamous this would be,
" and into what danger ſhe brought Powlet and
" Drury; for, if ſhe approved and allowed the
" fact, ſhe ſhould draw to herſelf both danger and
" diſhonour, with the note of injuſtice; but, if
" ſhe diſavowed and diſallowed the fact, ſhe over-
" threw utterly thoſe well deſerving men and their
" poſterity: and afterwards ſhe, on the ſame day
" the queen of Scotland was put to death, ſlightly
" checked me that the execution was not done."

What grief ſoever queen Elizabeth conceived, or made ſhew of, for the death of the queen of Scotland, certain it is, that the king of Scotland, her only ſon, was greatly afflicted at it, who, with the greateſt piety reverenced his mother, and regretted her exceedingly: for he did not think that queen Elizabeth, in regard of the mutual love that was between them, and the league of ſtricter friendſhip lately made between them, neglecting ſo many interceſſions of princes, would have delivered his mother, a prince of equal ſtate, and her neareſt couſin of the royal blood, into the hands of an executioner. He ſuffered not Mr. Robert Cary, ſon to lord Hunſdon (who was ſent from England to excuſe the queen, by laying the fault upon her counſellors and Daviſon) to come into Scotland, and hardly would hear him by another man, and was with difficulty prevailed on to receive the letters he brought; called his embaſſador out of England, and threatened revenge: and ſome there were that perſuaded him, that other princes of chriſtendom would not let ſuch

an

an injury done to the majeſty and royal name of a king, go unpuniſhed.

The ſtates of Scotland, who were aſſembled in great number, profeſſed that they were ready to revenge the death of his mother, defend his right to the crown of England, and to ſpend their lives and fortunes in the quarrel; and, that they would not digeſt the injury done, not only to the king, but alſo to the whole Scotch nation.

Some there were who perſuaded the king to aſk aid of ſhips of the king of Denmark, whoſe daughter he then tendered in marriage.

Some who were addicted to the Roman religion, ſuggeſted to him, that he ſhould rather join with the kings of Spain and France, and with the pope, and ſo he might with eaſe get poſſeſſion of England. Above all things, he ſhould give no credit to the proteſtants of England, who now ruled all, and plotted to deſtroy him alſo; whiſpering this in his ears, "He that hath killed the mother, will "alſo kill the children if he can."

Some there were who ſecretly adviſed him to obſerve an outward neutrality, and to hold both the proteſtants and Romaniſts in ſuſpence: for that, if he ſhewed himſelf openly for the proteſtants, the Romaniſts of Europe would do all they could againſt him, and would ſet up another prop and ſtay in England to his great danger.

Some alſo there were who adviſed him to a firm peace with England, and not to put his certain hope upon the uncertain fortune of war; and to be conſtant in his religion, in which, if he once wavered, he ſhould neither get nor purchaſe friends, nor leſſen the number of his enemies.

Thus every man ſpoke as fancy or intereſt led him: but the king, being more prudent than his age ſeemed to admit of, uſed no haſte, which is always

always blind, but weighed their counſels in his mind, conſiderately and maturely, a long time, both with himſelf and a few others.

But queen Elizabeth, by laying all the fault on Daviſon, and the raſh credulity of her counſellors, in order to mitigate his grief and ſorrow by little and little, leſt the comfort given out of ſeaſon might more exaſperate him, ſtayed till his ſorrow leſſened by length of time, would ſuffer itſelf to be handled: but, when ſhe ſaw the French incite the king to revenge, ſhe, fearing leſt he, by their policy, through deſire of revenge, ſhould be drawn away from the religion of the proteſtants, and the friendſhip of the Engliſh, laboured with all her power to pacify his mind, exulcerated, and in a manner alienated from her, by all means not unworthy of a prince.

Therefore, by her meſſengers and agents, and after by the lord Hunſdon, governour of Berwick, ſhe propoſed theſe weighty and important reaſons: Firſt, What a dangerous thing it may be for him to break into an open war againſt England for this cauſe, which ſeemed unto the eſtates of England to be as well neceſſary for the ſafety of the whole iſland, as alſo moſt juſt. Then let him conſider if he be of ability to take ſuch a war in hand, for as much as England was never better furniſhed with military men and leaders, with forces and riches; and Scotland, exhauſted with inteſtine wars, never more weak. If he depended upon foreign aid, with what great difficulty, and how long it would be, ere he could get it; and, if he did obtain it, what ſucceſs could be hoped for, ſince that England, having the fleets of Holland and Zealand joined thereunto, had no cauſe to fear the moſt mighty and potent kings of Europe? What

hope

hope could he place in the French king, or the king of Spain? For as much as his own power, much increaſed and augmented by the addition and acceſſion of England, might croſs or impeach their deſigns and purpoſes, for that his religion might be ſo oppoſed unto their profeſſion, that they could not help and aid him but with their own loſs and detriment. Neither could the French king ſee with a contented mind the king of Scotland augmented with the kingdom of England, for fear leſt he ſhould with war proſecute the ancient right of the Engliſh men in France; or elſe give help or ſuccour unto the Guiſes, his couſins, who at this time gaped after the realm of France. But the king of Spain, without all doubt, would do all things to ſerve his ambitious humour, for as much as he vaunted himſelf to be the firſt catholic prince of the blood royal of England, and the ſtock of Lancaſter, though untruly. In reſpect of which, ſome jeſuits, and others alſo endeavoured to advance him, whilſt the queen of Scotland was yet living, unto the crown of England, as a man moſt fit to reſtore the Roman authority in England, the mother and the ſon being not reſpected nor regarded.

Moreover, they perſuaded him, that ſhe determined, in her laſt will and teſtament, to bequeath the kingdom of England unto this king of Spain, if her ſon continued in the religion of the proteſtants.

"What may be the meaning of theſe things, "and whereunto they may tend, and what aid "and help can be hoped for from the king of "Spain, the king may thereby ſee and perceive; "and withall, if he ſhall revolt and fall from his "religion, in the which he hath been brought up,

"with

" with what great ignominy he may precipitate and " caſt headlong his ſoul into eternal damnation, " and the whole iſland of Britain into danger and " deſtruction.

" Moreover, he is to conſider and be adviſed, " leſt the eſtates of England, who have given " ſentence againſt his mother, do not exclude him " altogether from the right of ſucceſſion, by a " new ſentence, whoſe love, by yielding and giv- " ing place unto neceſſity, and reſtraining the paſ- " ſionate motions of his mind, he may eaſily win " and purchaſe unto him, for as much as that " which is done cannot be undone: and at his time " he may poſſeſs and enjoy quietly the moſt flouriſh- " ing kingdom of England."

" In the mean time, he may enjoy ſecurity, and " may ſeem with all men, indifferent men, that " have underſtanding and conſideration of things, " to have received no blemiſh in his honour, for " as much as when time was, he omitted no part " of a moſt pious and virtuous ſon toward his mo- " ther; and let him aſſuredly perſuade himſelf, " that the queen of England would account and " uſe him moſt lovingly and affectionately, as if ſhe " were his own mother."

She cauſed theſe things to be repreſented to the king of Scotland, and aſſured him that his mother was put to death without her knowledge: and, to confirm him in that opinion, ſhe determined to ſend him the ſentence given againſt Daviſon in the Star-chamber, under the hands of all the commiſſioners, the great ſeal of England, and alſo another inſtrument ſigned by all the judges of England, wherein they confirmed, that the ſentence given againſt his mother, did not prejudice his right in ſucceſſion, nor could be any obſtacle to the ſame.

As

As the letters ſaid to have been written by Mary queen of Scots, to the earl of Bothwell, have been the ſubject of much diſpute among the writers of the hiſtory of thoſe times, it is apprehended, that a particular diſquiſition concerning them will not be unacceptable to our readers.

The manner by which theſe letters came into the poſſeſſion of the queen's enemies, is conveyed to us by a Memorandum, publiſhed along with Buchanan's detection, in theſe words:

"MEMORANDUM.

"THAT in the caſtell of Edinburgh thair "was left be the erle of Bothwell, before his "fleeing away, and was ſent for be ane George "Dalgleiſh, his ſervand, who was taken be the "erle of Mourton, ane ſmall gylt coffer, not fully "ane fute lang, garniſht in ſundry places with the "Roman letter F. under ane king's crowne; "wharin were certain letteris and writings weel "knawin, and be aithis to be affirmit to have been "written with the queen of Scottis awin hand to "the erle."

The letters ſaid to have been contained in this box were eight in number, all written in French: and, beſides theſe, there were ſome love ſonnets, alſo in French, and a promiſe of marriage by the queen to Bothwell.

As this is the only account given of the manner in which the letters came to light, we ſhall here make a few remarks upon it, at the ſame time leaving the reader to judge for himſelf.

1. As the matter contained in the letter, in plain words acknowledges a criminal intercourſe between the queen and Bothwell; and likewiſe inſinuates, pretty openly, a deſign to murder the king.

king.------It ſeems ſcarce credible that ſuch ſtrong and palpable evidence, againſt herſelf ſhould be committed by her to writing.

2. It is no leſs aſtoniſhing, that Bothwell, to whom the letters are ſuppoſed to have been addreſſed, ſhould have kept ſuch evidence againſt himſelf one moment in his hands, without deſtroying them, as no good reaſon can poſſibly be aſſigned for his preſerving them.

But theſe are only preſumptions, which, by themſelves, can have no force againſt facts: letters are diſcovered and produced. It ſeems, however, to be an eſtabliſhed maxim, founded on common ſenſe, as well as equity, that, if any man, by the diſcovery of a writing or deed, pretends to ſtrip another of his property, the pretender muſt not only prove the authenticity, but likewiſe give ſome reaſonable account how ſuch writing fell into his hands.

To apply this to the preſent queſtion: from the letters themſelves, the preſumption ſeems to ſtand in favour of the queen; that neither ſhe, nor indeed any woman of common prudence or modeſty, could have written them. As, therefore, they were produced by the earl of Morton, as his diſcovery, it becomes neceſſary to examine every circumſtance that relates to this diſcovery, which may be done in a few words.

On the fifteenth of June, 1567, the queen having left Bothwell, delivered herſelf into the hands of Morton, and the lords of his party, who ſent her priſoner to the caſtle of Lochleven.

On the twentieth of June, 1567, George Dalgleiſh, Bothwell's ſervant, was ſeized, and it is affirmed that the above-mentioned box and writeings were found in his cuſtody. Six days after, he was examined before Morton, Athole, and Grange,

lords of the ſecret council. A copy of his examination and depoſition, ſaid to be taken from the original, in the books of the juſticiary, atteſted by ſir John Ballendane, juſtice-clerk, has been preſerved to this day.

This remarkable particular naturally occurs to be obſerved in it, that it was ſurely of great importance for Morton, who then had the box in his cuſtody, and, as the record bears, was preſent at Dalgleiſh's examination, to have confronted him with the perſons who apprehended him; and aſked him ſome queſtions relating to the box: ſuch as, Whether, or not, this box was in Dalgleiſh's cuſtody when he, Dalgleiſh, was ſeized? What orders he received from his maſter, Bothwell, about the box? Where he found it? Whether open or locked? If open, what it contained? and, where he was to have carried it? Dalgleiſh, and the perſons who ſeized him only ſix days before, could have given diſtinct anſwers to thoſe particulars. However, in the whole of his examination and depoſition, there is no mention made of the box.

This man, together with Hepburn, Hay, and Pourie, Bothwell's ſervants, was tried and condemned at Edinburgh, as acceſſory to the king's murder.

The firſt appearance of the letters themſelves, is in an act of Murray's ſecret council, dated the fourth of December, 1567: in which it is ſaid, That their riſing in arms againſt the queen, taking her priſoner, and detaining her perſon in Lochleven, "was in the ſaid queen's awin default, in "as far as, be diverſr her previe letters, WRIT-"TEN AND SUBSCRIVIT WITH HER AWIN HAND, "and ſend by her to James erle of Bothwell, chief "executer of the horrible murder, [of the king]

"as

"as well before the committing as after, and be "her ungodly proceeding in a private marriage "with him ſuddenly thareafter, it is moſt certane "that ſhe was previe art and part of the murder "of the king." This act is undoubtedly ſubſcribed by the earls of Murray, Morton, and others of that party, the lords of the ſecret council, a title they aſſumed immediately on their impriſoning the queen.

Upon the fifteenth day of December, ten days after the above act of ſecret council, the earl of Murray's firſt parliament met, where an act was paſſed concerning the queen's detention, which is almoſt a tranſcript of the above act of their ſecret council, juſtifying the queen's impriſonment from "her awin default, in ſa far as be divers her previe "letters, WRITTEN HALLELIE (i.e. wholly) WITH "HER AWIN HAND, and ſend be her to James erle "of Bothwell, &c. it is certain ſhe was previe, art "and part, of the king's murder."

Upon comparing the words of theſe two acts together, relating to the letters, it is evident that they claſh with each other. The act of ſecret council, aſſerting the letters to be "written and ſub-"ſcrivit with the queen's awin hand;" whereas the act of parliament declares them only to be "writ-"ten halelie with her awin hand." From whence could ſo ſtrange a diſagreement ariſe, in two ſuch ſolemn deeds, and in ſo very material a point? The additional word HALELIE in the act of parliament, which is ſubſtituted in the place of the words AND SUBSCRIVIT, in the act of council, is ſufficient to convince us, that this variation was owing to no inadvertency in the compiler.

The only perſon who has attempted to explain this jarring between the two records, is the ingeni-

ous David Hume, eſq. who thinks there is no difficulty in the matter.

We ſhall here give the reader his obſervation in his own words: Hiſt. of England, vol. ii. p. 500. in the notes, after mentioning the objection ariſing from the jarring of the two records, he ſays, "But it is not conſidered that this circumſtance is "of no manner of force: there were certainly letters, true or falſe, laid before the council; and "whether the letters were true or falſe, this miſtake proceeds equally from the inaccuracy or "blunder of the clerk. This is eaſily accounted "for; the letters were only wrote by her, the ſecond contract with Bothwell was only ſubſcribed. "A proper accurate deſcription was not made, and "they are all ſaid to be wrote and ſubſcribed."

The proper reply to be made to this ſolution of the above difficulty, is only to deſire the reader to compare the words in the two records before cited: the expreſs words are, "The previe letteris writ-"ten and ſent by the queen to James earl of Both-"well." It is apprehended that Mr. Hume will perſuade but few, that theſe words can be applied to a contract, which can neither be ſaid to have been written or ſent by the queen to Bothwell, or to any other writings whatever, but the letters: far leſs could this jarring happen in the words of the two records from any miſtake or inaccuracy of a clerk. It indeed ſeems altogether incredible, that, in ſo important a matter, the wiſe heads of Murray, Morton, and ſecretary Lethington, would have truſted the compiling of theſe two acts to a blundering clerk, or let ſuch an obvious blunder eſcape them.

If the letters, firſt produced by Murray and Morton in their ſecret council, were ſigned by the queen,

queen, certain it is, that the letters produced before the parliament had no ſubſcription, but were only aſſerted to be HALELIE, or wholly, written by the queen's own hand. If theſe letters are genuine, it is hard to account for ſo ſtrange a diſagreement: if we ſuppoſe them ſpurious and forged, a reaſon, I think, for this ſtrange conduct may be given.

It is juſtly obſerved, by the ingenious doctor Robertſon, That, when a paper is forged with a particular intention, the eagerneſs of the forger always prompts him to avoid all doubts or uncertainties, and to be as explicit as poſſible. It is probable that the operators, in their firſt copies of thoſe letters, would take care to be very explicit and full, both as to the matter and contents of their manufacture, and likewiſe as to the form they were to appear in.

Leſly, biſhop of Roſs, in his defence, aſſerts it, as a thing well known that there were perſons about the court who could counterfeit the queen's hand-writing; and that, in fact, ſeveral letters had been forged in her name, and ſent to England. This is alſo aſſerted by the queen herſelf, in her inſtructions to her commiſſioners at York.

The eagerneſs of the forgers to make the letters to Bothwell fully concluſive againſt the queen, might very naturally prompt them at firſt to affix her ſubſcription to them; and, in this ſhape, they were aſſerted by Murray, Morton, and others, before their own ſecret council, to be "written and "ſubſcrivit with her awin hand." But after thoſe crafty politicians came to conſider deliberately, That "thoſe horrible letters," to cite the opinion of the Engliſh commiſſioners in their own words, "conteynit ſuch foul matteir, and abominable

"be either thought of or written by a prince." Upon ſeriouſly reflecting, that it might ſhock the credulity of many people to believe, that the queen could not only be ſo wicked as to write ſuch letters, but even ſo far deprived of common ſenſe as to put her name to them; they might very naturally, in the copies they produced before the parliament, ſink the ſubſcription, and, in the place of mentioning the letters to be "written and "ſubſcrivit" by the queen, ſubſtitute the words "halelie written with her awin hand:" in which form they ever afterwards appeared.

The next appearance the letters made was at York, in October 1568, at a conference between Leſly, biſhop of Roſs, lords Livingſton, Boyd, Herries, &c. on the part of queen Mary; and the earls of Murray, Morton, ſecretary Lethington, and George Buchanan, on the other ſide; before the duke of Norfolk, earl of Suſſex, and ſir Ralph Sadler, as commiſſioners for the queen of England; where it appears, by a letter ſigned by theſe laſt, That the letters, and other evidences againſt the queen, were produced and ſhewn to them by Lethington, Buchanan, and Hackgill, in a ſecret conference, not as commiſſioners, as they proteſted, but for their (the Engliſh commiſſioners) better inſtruction, after declaration of ſuch circumſtances as gave ground for vehement preſumption to judge the queen guilty of the king's murder.

It is apparent, from this private and ſecret conference concerning the letters, and the precaution of Lethington and Buchanan being employed to ſhew and explain theſe letters to the duke of Norfolk, and earl of Suſſex, not as commiſſioners, that Murray and his party, though by this underhand way they defamed the queen, were at great pains

pains to conceal their ſecret practices from her commiſſioners; who, at that time, had orders from Mary, and were inſtructed to call for the evidences of their charge. This appears from the articles and inſtructions given by the queen to her commiſſioners. The queen had heard a ſurmiſe of letters ſaid to be written by her. In the ſeventh article of her inſtructions to her commiſſioners ſhe thus charges them:

"In cais thay alledge thay have ony writingis of "mine, quhilk may infer preſumptioun againis "me in that cais, ze ſall deſyre the principallis "to be producit, and that I myſelf may have in-"ſpectioun thairof, and mak anſwer thairto. For "ze ſall affirm, in my name, I never writ ony "thing concerning that matter to ony creature: "and gif ony ſic writingis be, thay ar falſe and "feinzeit, forgit and inventit be thameſelfis, on-"lie to my diſhonour and ſclander: and thair ar "divers in Scotlande, baith men and women, that "can counterfeit my hand-writing, and write the "like manner of writing quhilk I uſe, as weil as "myſelf, and principallie ſic as ar in cumpanie "with thameſelfis.

A cotemporary author has informed us, that this had been done by Maitland her ſecretary: "It was notourly known," ſays this author, "that "Lethington had often counterfeited the queen's "hand." But to proceed:

The letters having been thus ſhown in private to the Engliſh commiſſioners, and the contents fully explained to them by Lethington and Buchanan, a moſt minute abſtract of their whole contents is tranſmitted by thoſe commiſſioners to their miſtreſs, queen Elizabeth, which is ſtill extant.

Doctor Robertſon, in this part of his hiſtory, takes no notice either of the above private conference, and expoſition of the letters to the Engliſh commiſſioners, or of the queen's inſtructions with regard to them, aſſerting the forgery, and deſiring inſpection of thoſe letters.

Which expoſition of the letters, with the Engliſh commiſſioners letter to their own court, giving a detail of this conference, and ſending the extracts of the letters, with their own explanation, moſt unfavourable for queen Mary, ſhows pretty plainly, that, at this time, there was no plan of ſaving the queen's honour in view; and that, even at this period, the duke of Norfolk was the dupe of Murray, who ſoon after betrayed him.

Queen Elizabeth and her miniſters having adjourned the conferences, betwixt Mary and her ſubjects, to Weſtminſter, the earl of Murray, and his party, on their arrival, were introduced to, and graciouſly received by, Elizabeth; and any ſcruples they had, or delicacy with reſpect to their accuſing Mary, being eaſily removed, they gave in their charge on the twenty-ſixth of November, 1568, publicly accuſing her of being accomplice with Bothwell in the murder of her huſband.

Mary, being informed of the accuſation thus publicly made againſt her, inſtructed her commiſſioners, on the third of December, 1568, to preſent a demand in her name: That, as Elizabeth had given admittance, both in private and public, to her accuſers, ſhe likewiſe might be "permitted "to cum in proper perſoun to hir majeſties awin "preſence and of her nobilitie, and in the preſence "alſo of haill the ambaſſadouris of other coun-"treys, then reſident within hir hienes realme, to "declaire hir innocencie, and to mak hir majeſtie

"and

" and thayme underſtand the untrew invented ca-
" lumnies of hir ſaidis rebellis, for the beater de-
" fence of her gracis honor, ſatisfactione of hir
" heines, and all other Chriſtiane princes and guide
" ſubjects quhatſumever."

Mary's commiſſioners having preſented this ſupplication in their miſtreſs's name, Elizabeth refuſed to comply with their requeſt; and, at the ſame time, declared to the commiſſioners, that ſhe would receive proof from Murray and Morton of the verity of their accuſation. Upon which Mary's commiſſioners remonſtrated againſt this procedure, " as a prepoſterous order, never uſed
" in any treaty or conference; yea, not even in
" caſes of judicial procedure, to receive probation
" before the party was heard to anſwer to the al-
" leageance, and eſpecially in ſo weighty a cauſe:
" they therefore proteſted, that no further ſhould
" be proceeded in this conference."

Notwithſtanding this remonſtrance, as Elizabeth had formed a reſolution to have the accuſation fixed on Mary, ſhe, at the very ſame meeting, called upon Murray and Morton, who directly put into the hands of the Engliſh commiſſioners, the box with the letters and ſonnets. They alſo produced a copy of the earl of Bothwell's trial, with the examinations and confeſſions of Hay, Hepburn, Pourie, and Dalgleiſh, ſervants of Bothwell, who, although they all charged their maſter, yet none of them pretended to aſperſe the queen in the leaſt with any knowledge or acceſſion to the king's murder. And it is well known, that all of them, at their death, publicly abſolved the queen from it. So that, ſetting the letters aſide, there is no other evidence which Murray and Morton could produce againſt the queen. The letters therefore

therefore, and they only, were the evidence againſt Mary.

In ſupport of them, Morton himſelf the queen's accuſer, affirmed he got them from Dalgleiſh in the manner above-mentioned; and one Crawfurd, (a dependent on the earl of Lennox, another accuſer of the queen) the perſon whom Lennox ſent to meet Mary in her road to Glaſgow, bears witneſs to the truth, and ſome other incidents mentioned in one of the letters; which, whether true or falſe, ſeems to be of no conſequence; for this plain reaſon, that whoever did write the letters, would take care to inform themſelves of every incident that happened in Mary's company when ſhe was at Glaſgow, at the time ſhe is ſuppoſed to have written thoſe letters to Bothwell: and they could not apply to a better hand for their information, than to this vaſſal of Lennox, or even to Lennox himſelf; who, doubtleſs, were very ready to give all the information in their power upon the above head.

The letters per ſe, then, with Morton's ſingle affirmation of the way and manner how they came into his poſſeſſion, are the only evidences againſt the queen, which were produced at the conferences.

The want of the concurrence of ſome other impartial and unſuſpected witneſſes, to ſupport the teſtimony of Morton, as to the diſcovery and ſeizure of the box and letters, and his remarkable ſhyneſs in interrogating Dalgleiſh on this point, have already been obſerved. But it perhaps will be ſaid, that, at the time of Dalgleiſh's trial, this was an overſight which eſcaped even the ſagacity and penetrating genius of Morton, and the whole party. The man was hanged, and he cannot

not now be called from the grave to anſwer queſtions. It is to be obſerved, however, that, at this very time, December, 1568, they had in their cuſtody a very material and living evidence, who had a part in the letters.

The ſecond letter mentions, by name, one Paris, or Nicholas Hubert, a Frenchman, ſervant of Bothwell, who, it is ſaid, was the perſon intruſted to carry the letters from the queen to Bothwell. This man had been kept in cloſe confinement in St. Andrews during all this time.

Now, when one ſees the remarkable care and attention of the party in collecting every circumſtance which they ſuppoſed could be matter of proof againſt the queen, in ſupport of their accuſation, their penury of proof notwithſtanding, and the pinching neceſſity of ſupporting the only evidence they had (that of the letters) by the bare and ſingle affirmation of Morton himſelf, the queen's accuſer, and moſt inveterate enemy; it is impoſſible to overlook, without the ſtrongeſt ſuſpicion, their omitting to have produced ſo very material an evidence as this Frenchman, in perſon, to have anſwered to the queſtions of Mary, or her commiſſioners, before the Engliſh council, and to the part aſſigned to him in the letters themſelves.

Mr. Hume, who has omitted nothing that he thought was evidence againſt the queen, has been very ſenſible of this defect of Murray's, in not calling upon Paris; and he endeavours to ſupply it in a pretty extraordinary manner. "On "giving in the letters," ſays he, "Murray forti- "fied this evidence by ſome teſtimonies of corre- "ſponding facts; and he added, ſometime after, "the dying confeſſion of Hubert, or French Pa- "ris, a ſervant of Bothwell, who had been exe- "cuted

" cuted for the king's murder, and who directly " charged the queen with being acceſſory to that " criminal enterprize." He adds: " It is in " vain, at preſent, to ſeek for improbabilities in " this confeſſion: it was certainly a regular judicial " paper, given in regularly and judicially, and " ought to have been canvaſſed at the time."

From this account Mr. Hume would make one believe, that that piece of evidence, Paris's confeſſion, had been given in by Murray within a few days after the letters, at leaſt whilſt the conferences ſubſiſted; yet nothing can be more falſe.

The conferences broke up, and the earl of Murray and his party received permiſſion from queen Elizabeth to return home to Scotland, in January, 1568-9. Paris, after lying in cloſe priſon till Auguſt, 1569, was then put to death; at which time it is pretended he made theſe confeſſions againſt the queen.

Upon ſo viſible a partiality of Elizabeth, it is no eaſy matter to determine what courſe would have been moſt proper for Mary to have taken; being denied that privilege which the greateſt of criminals have always been allowed, in every civilized nation; that of being heard perſonally in her own defence, and confronted with her accuſers; ſhe had ordered her commiſſioners to break off all further conference, before judges already ſo determined againſt her. Dr. Robertſon is of opinion, that, had ſhe ſtopt there, it was the moſt prudent part ſhe could have acted. Let it be conſidered, however, that her enemies had, at this time, not only accuſed her publicly, of being privy and acceſſory to the king's murder, but had, in compliance with Elizabeth's order, produced their proof, the box with the letters, and Morton and Crawfurd's evidence in ſupport of them.

This

This was the conſummation of Elizabeth's utmoſt wiſhes. It behoved Mary, on the other hand, clearly to ſee the inferences that might be drawn to her prejudice from this ſtep ſhe had been provoked to take. By declining the combat, ſhe yielded the victory to her enemies, and left them in the clear poſſeſſion of the field. They had not only accuſed her, they had likewiſe produced what, they aſſerted, did amount to a full conviction of her guilt, no leſs than letters written by her own hand to Bothwell, the perpetrator of the murder.

On theſe conſiderations, ſhe writes a letter to her commiſſioners, the nineteenth of December, 1568, retorting the accuſation on Murray, adding: "And to the effect our guid ſiſter may underſtand "we are not willing to lat thair falſe inventit al-"legeances paſs over with ſilence, adhering to "zour former proteſtatiounis, ze ſall deſire the "inſpectioun and doubillis of all thay haif produ-"cit againis us; and that we may ſee the alledgit "principal writingis, gif thay haif ony, producit; "and, with God's grace we ſall mak ſic anſwer "thairto, that our innocence ſall be knawin to our "guid ſiſter, and to all utheris princes."

In conſequence of this letter, Mary's commiſſioners repaired, on the twenty-fifth day of December, 1568, to the preſence of Elizabeth and her council; where, in order to make anſwer to the accuſation, "thay maiſt humblie deſyrit "the quenis majeſtie to cauſe them have ſic writ-"ingis as wer producit againis thair maiſtres, be "thair maiſtres's adverſaris.-----Quhilk deſyre hir "majeſtie thocht very reſſonabill,------and deſyrit "ane extract of the ſaid writing to be given in to "hir hines; quhilk the ſaid commiſſionaris did on "the morn (i. e. next day) deliver."

It

It will be thought by every body, that the extract of the writing, ſaid to be delivered on the morn to Mary's commiſſioners, contained at leaſt a copy of the letters produced by her adverſaries; yet that was not the caſe.

Whatever this extract of a writing, ſo delivered, contained, certain it is, as ſhall be clearly ſhown hereafter, that it did not contain one word of the letters, and was only a piece of art made uſe of by Elizabeth and her miniſters, to give a colourable anſwer to ſo reaſonable a demand of Mary, which they did not chuſe flatly to refuſe, at the ſame time that they reſolved not to grant. The writing thus delivered on the morn, or next day, was, in all probability, an extract of the accuſation only.

It muſt be remembered always, that the accuſation itſelf againſt the queen was in general terms, affirming, That as the earl of Bothwell was the perpetrator of the murder, ſo was he of the foreknowledge, counſel, and device thereof. To which the queen, by many letters from her confinement, and likewiſe her commiſſioners in her name, had given anſwers, denying the accuſation, and endeavouring to ſhow the improbability of it; and that Murray and Morton were themſelves the authors of that murder.

So far the accuſations on both ſides were ſeemingly equal. But Murray had, in ſupport of his charge. produced certain writings, letters written, as he affirmed, by her own hand, to the earl of Bothwell, which palpably proved her to have been privy to the king's murder. What anſwer, if innocent, could ſhe make to this? This only one, ſurely, which ſhe did make, That thoſe letters were forged. She went farther, ſhe aſſerted, that her accuſers themſelves were the forgers; and for this

this good reaſon, that it was a fact well known, that ſome of them could well counterfeit her hand-writing, and had been accuſtomed ſo to do. She therefore deſired a ſight of the principal letters themſelves, and alſo to have full copies of them delivered to her; from which ſhe aſſerted, that ſhe would make the forgery of thoſe pretended letters, and her own innocence, clearly appear.

On the 7th day of January, 1569, lord Herries, and the biſhop of Roſs, in conſequence of another letter from queen Mary, which they produced, "paſſed to the preſence of the quene's majeſtie of "Ingland, hir hienes's counſall being alſwa pre-"ſent, --- and ſignified, that, as their miſtreſs was "to anſwer to the accuſatioun of hir ſubjectis, and "alſwa to prove thame to be the principal autho-"ris and executoris of the king's murder; for the "quhilk ſcho was falſlie accuſit by thame, con-"form to writingis preſentit in her name; thair-"foir they deſirit the writingis producit by hir in-"obedient ſubjectis, or, at the leiſt, the copies "thairof to be deliverit unto thame, that thair "maiſtres might fullie anſwer thair to, as ſcho "deſyrit. --- Which deſyre quene Elizabeth tuik "to be advyſit of, and promiſit to gif anſwer "within two or three dayis."

One may eaſily imagine, that, if queen Elizabeth had truly any intention, that a fair trial and inſpection of the letters ſhould be made, and to hear if any objections could be raiſed to them, there could be no reaſon for heſitating one minute on Mary's repeated ſupplication for a ſight of them; or, at the leaſt, to have copies of them delivered to her; without which, it was ſimply impoſſible for her, or any perſon alive, to make a proper anſwer, or to detect the forgery.

But

But this was the very oppoſite of queen Elizabeth's ſcheme and intention; to give way to a ſcrutiny of ſuch precious materials; the darling inſtruments of her reſentment againſt Mary, which might, perhaps invalidate thoſe proofs, and blow them in the air; the conſequence of which, as it would have been a moſt convincing proof of Mary's innocence, muſt neceſſarily have been a clear conviction, at the ſame time, of Murray and Morton's guilt. Elizabeth was therefore fully determined not to give ear to thoſe demands. The ſhift ſhe made uſe of, to avoid this pinching queſtion, ſhows her perplexity: in place of anſwering Mary's requeſt to ſee the letters, Elizabeth makes the following propoſal to Mary's commiſſioners: "That it were beſt ſome appointment ſuld be "made between the quene of Scotland, hir guid "ſiſter, and hir ſubjectis: and to the effect the "ſaid quene may live in ſuretie in tyme cuming, "and becauſe it hes bein thought that ſcho miſ"lykit hir ſubjectis, throw thair evill behaviour "toward hir, and thay miſlike alſo hir govern"ment; it ſemit thairfoir maiſt meit and conve"nient, that ſcho, as being weary of that realme, "and government thairof, ſould yield up the crown "and government thairof, and demit the ſamin "favouris of hir ſone the prince, --- and ſcho in "the mean tyme to remain in this realme of Ing"land privatlie, and ſo the country ſould be at ane "quyetneſs."

It is to be remembered, that when Mary's commiſſioners had of themſelves, without any authority from her, and before Murray had produced the box and letters, propoſed an accommodation between the parties, then Elizabeth had told them, That after ſuch an accuſation, ſhe thought it inconſiſtent with her ſiſter Mary's honour and innocence to have the matter ended by appointment.

The

The reaſon for Elizabeth's changing her mind at this period is extremely obvious.

The anſwer made by Mary to this propoſal of Elizabeth's, was ſuch as a high-born ſpirit, conſcious of innocence and oppreſſion, could only have dictated: "Je ſuis reſolue et diberee pluſtoſt "mourir, que de faire: et le derniere parole que "je ferais en ma vie, ſera d'une Royne d'Eſ-"coſſe."

The firm tone in which Mary expreſſed herſelf at this time, and her whole behaviour, ſhows, that ſhe ſufficiently underſtood Elizabeth's ſcheme, and that even impartiality was not to be expected from her. She was determined, notwithſtanding, to vindicate her innocence; and, at the ſame time, to prove, that Murray, Morton, and Lethington, whom ſhe had already publicly accuſed, were themſelves the deviſers, and ſome of them the perpetrators of the king's murder.

Either of theſe points was inconſiſtent with Elizabeth's plan: ſhe had encouraged Murray and his aſſociates, publicly, to charge their ſovereign as a murdereſs and adultereſs. She had had the addreſs to get into her hands, what they alledged, amounted to a proof of their charge: whether theſe were true or not, the world would always believe them to be ſo, provided they were not expoſed, and found to be ſpurious. It was therefore, high time now to diſmiſs Murray and his party, to avoid any diſcuſſion of their evidence, and likewiſe to ſtifle the attack made againſt themſelves.

Upon the 11th of January, 1569, the commiſſioners on both ſides were brought to meet in preſence of the Engliſh council, where ſecretary Cecil, in Elizabeth's name, "declarit, that the erles of "Murray, Morton, and their adherentis, wer li-

" cencit to be the quene's majeſtie to depart into " Scotland. And, becauſe it was bruitit and " ſklaunderit, that they were participant of the " murthour of the quene's huſband, -- thay deſirit " to knaw quhether thay wald accuſe thame in the " quene's name, or in thair awin names."

The anſwer made by the queen's commiſſioners to this was, That by a ſpecial command of their ſovereign, " by her letteris under hir ſignet, -- " thay were expreſſie commandit to accuſe the erle " of Murray and utheris his adherentis, to be " principal authouris, inventaris, doaris, and ſum " of them proper exequutouris of the murthour. " Conform to the quhilk letteris, thay had alreadie " publictlie gevin in thair accuſatioun in write, and " offerit thame conſtantlie to abide thairat, in thair " miſtres's name; and had offered alſwa to defend " her innocencie, and to anſwer to all the calum- " nies, alledgit or producit againis hir, ſwa being " that ſcho micht have the copies of the pretendit " writtingis gevin in, publictlie or privailie, againis " the quene thair maiſtras; quhilkis thay have di- " vers tymes requirit of the quene's majeſtie, and " hir counſal, ſuppois thay have not as zit obtenit " the ſamen: and how ſone that thay reſſavit the " copies thairof, ſcho wale anſwer thairto, in de- " fence of hir innocencie, and alſwa particularlie " nominat and accuſe ſuch perſonis, being preſent " of thair companie, as wer guiltie of that mur- " thour; and wald verifie and pruif the ſamin ſuf- " ficientlie."

This firmneſs in queen Mary's miniſters, in inſiſting even to have copies only of the writings, and in abiding by their accuſation of Murray and Morton, was highly diſagreeable to Elizabeth. We ſha'l ſee ſhe immediately took a moſt effectual method to diſpatch this troubleſome affair.

The

The very next day, "upon the 12th day of Ja-
"nuary 1568, the erle of Murray, and all his ad-
"herentis, came to the preſence of the quene's ma-
"jeſtie of Ingland, and gat licence to depart into
"Scotland."

This ſtep was very well judged: by diſmiſſing theſe gentlemen with their box and writings, it prevented all inſpection of the original letters. And now, as to giving copies of them, a new device was tried, in order to elude even that.

On the thirteenth of January, the biſhop of Roſs and lord Herries are called to court, and acquainted by Cecil, "That hir majeſtie, quene
"Elizabeth, will not refuis unto the quene, hir
"guid ſiſter, to give the dowbillis of all that was
"producit; --- but with this certification, "That
"ſcho will have a ſpecial writing ſent be the quene
"of Scottis, ſignet with hir awin hand, promiſing
"that ſcho will anſwer to the ſamin writingis and
"thingis laid to her charge, but ony excep-
"tioun."

To this it was anſwered on the ſpot by Mary's miniſters, That what ſecretary Cecil, in his miſtreſs's name, now required, was already done, viz.
"by twa ſeveral writingis ſchawin and read in pre-
"ſence of hir majeſtie, (Elizabeth) and hir coun-
"ſal, ſubſcrivit with hir awin hand, and under
"hir ſignet, quhairof the extract was deliverit to
"quene Elizabeth hirſelf, in the quhilk ſcho of-
"ferit to mak anſwer upon certain conditiounis
"thairiu expremit, or at leiſt the copies of
"thame."

This anſwer ſecretary Cecil, it would appear, thought ſufficient. He made no reply, and, indeed, it was no wonder that he ſhould be perplexed. The abſurdity of requiring a letter under Mary's own hand, at the time when he had

ſeen, and was poſſeſſed of two of that queen's letters to the above purpoſe, ſhows plainly, that the intention of this laſt ſhift, which loſt its aim, was only to put ſome colour upon a flat refuſal, to allow queen Mary to ſee either the principal writings, or even the copies of them. Mary's commiſſioners were wiſe enough to take hold of this occaſion to urge another point, viz. a complaint in their miſtreſs's name, in reſpect, "That the erle of Mur-
"ray, and his adherentis, quha have been pub-
"lictlie accuſit be the quene, --- wer licenſit be
"the qeene of England to depart the realme into
"Scotland, not abiding to heir the defence of the
"quene's hienes's innocencie, nor the tryal and
"pruif of thair detectioun, quhilk was offerit to
"pruif thame guiltie and culpabil of the ſamin
"crime; but thair being fully dimittit, and na
"end put unto the cauſe, it appeirit not thairfor
"meit that the quene ſould mak ony furder an-
"ſwer, leſs nor hir ſaid rebellis be ſtoppit, to re-
"mane within this realme, until the time that the
"trial tak end: and gif thay wer ſufferit to de-
"part, deſirit that it might be alſwa leaſum to the
"quene, thair ſoverane, and hir commiſſioners,
"to depart into Scotland, for the greit inconve-
"nience micht follow, in cais the ane part wer
"permittit to pas to Scotland, and the uther de-
"tenit within Ingland; and the inequallity of
"dealing in that behalf is apparent."

To the quhilk it was anſwerit, "That the erle
"of Murray has promiſit to the quene's majeſtie
"of Ingland, for himſelf and his cumpanie, to
"turn agane quhenſoever hir majeſtie ſould call
"for him or thame: bot, in the mean tyme, the
"quene of Scotland, thair miſtres, could not be
"ſuffered to depart, for divers reſpects." Upon this

this refuſal of the queen's liberty, her commiſſioners entered a proteſt.

In this manner, did Murray and Morton, with their box and letters, withdraw from the conferences in England. What afterwards became of the letters is not known. They are now loſt, or have been deſtroyed, no body knows how. This, however is certain, that queen Mary, notwithſtanding her frequent aſſertions, that they were forged by her accuſers, and her repeated earneſt ſupplications, both under her hand, and by the mouth of her commiſſioners, to ſee the letters, to anſwer them, and prove the forgery upon Murray and Morton, could not prevail in ſo reaſonable a requeſt.

The preceding account of the ſeveral ſteps of the conferences relating to the letters, from the very words of the records themſelves, is ſo very different from, and ſo contradictory to Mr. Hume's relation, in his late hiſtory, that I think it incumbent upon me, in juſtice to the public, to ſet down a ſhort abſtract of his account, ſo that, upon a compariſon, the impartial reader may, from his own eye-ſight, judge how far that gentleman has been directed by truth, in his repreſentation of this affair.

"When the charge (ſays Mr. Hume) or accu-
"ſation againſt Mary was given in, and copies of
"it tranſmitted to the biſhop of Roſs, lord Her-
"ries, and her other commiſſioners, they abſolute-
"ly refuſed to return any anſwer; and they
"grounded their ſilence on very extraordinary
"reaſons: They had orders, they ſaid, from their
"miſtreſs, if any thing was advanced that might
"touch her honour, not to make any defence, as
"ſhe was a ſovereign princeſs, and could not be
"ſubject to any tribunal; and they required, that

" ſhe ſhould previouſly be admitted to Elizabeth's " preſence. They forgot that the conferences " were at firſt begun, and were ſtill continued, " with no other view than to clear her from the " accuſations of her enemies; that Elizabeth had " ever pretended to enter into them only as her " friend, by her own conſent, without aſſuming " any ſuperior juriſdiction over her. --- As the " queen of Scots refuſed to give in any anſwer to " Murray's charge, the neceſſary conſequence " ſeemed to be, that there could be no farther " proceedings in the trial."

If this was a neceſſary conſequence of Mary's refuſing to anſwer, (unleſs in perſon, Mr. Hume ſhould have added) it may be aſked, How came Elizabeth, notwithſtanding, to proceed in the trial, in abſence of both Mary and her commiſſioners? Was not this the height of partiality, in this pretended friend of Mary, to hear her enemies by themſelves, or to receive any thing from their hands as ſufficient proof againſt her, upon their word only? And, when ſhe did ſo, ought ſhe not, in common juſtice, to have communicated the ſame to Mary? But, to go on with this author's account:

" Elizabeth and her miniſters deſired to have " in their hands the proofs of her guilt: --- Mur- " ray made no difficulty in producing the proofs " of his charge againſt the queen of Scots, and, " among the reſt, ſome love-letters and ſonnets of " her's to Bothwell, wrote all in her own hand, and " two promiſes of marriage to him. --- They con- " tained inconteſtible proofs of Mary's criminal " correſpondence with Bothwell, of her conſent to " the king's murder, and of her concurrence " in that rape which Bothwell pretended to com- " mit upon her. Murray fortified this evidence,

" by

" by ſome teſtimonies of correſponding facts; and " he added, ſome time after, the dying confeſ- " ſion of one Hubert, or French Paris, a ſervant " of the earl of Bothwell, who had been executed " for the king's murder, and who directly charged " the queen with her being acceſſory to that cri- " minal enterprize.

" Mary's commiſſioners (ſays Mr. Hume) had " uſed every expedient to ward this blow, which " they ſaw coming upon them. And, finding " that the Engliſh commiſſioners were ſtill deter- " mined to proceed in the method which had been " projected, they finally broke off the conferences, " and never would make any reply. Theſe " papers have all of them been ſince publiſhed. " The objections made to their validity, are in " general of ſmall force: but, were they ever ſo " ſpecious, they cannot now be hearkened to; " ſince Mary, at the time when the truth could " have been fully cleared, did, in effect, ratify " the evidence againſt her, by recoiling from the " enquiry at the very critical moment, and re- " fuſing to give any anſwer to the accuſation of " enemies."

Let us, by way of anſwer, now compare the words of the record, with this gentleman's account:

" Hampton-Court, 25th day of December, " 1568: the quhilk day of the biſhop of Roſs and " lord Herries came to Hampton-court, whair, " in the council-chamber, thay declarit, that thay " had ſpecial command ſent to thame fra the quene " thair maiſtres, to declair, That being advertiſit " of the unnatural and ungrate dealings of hir " diſobedient ſubjectis and rebellis, could not ſuf- " fer thair blaſphemous and ſklanderous accuſa- " tiounis to pas over with ſilence unanſwerit;

" quhan thay thameſelfis quha did accuſe hir, wer " the authoris, and inventeris, and, ſum of thame, " executouris of the murthour: and thairfoir wald " anſwer to thair accuſatioun, in defence of hir " awin innocence, and accuſatioun of thame, as " authoris thameſelfis of the king's murthour. " And the ſaid commiſſionaris producit their wri- " tingis and inſtructiounis, ſent by thair maiſtres " to thame to that effect. Quhilk being read be- " foir hir majeſtie, and hir counſall, thay maiſt " humblie deſyrit hir majeſtie to cauſe thame have " ſic writingis, as wer producit againis thair maiſ- " tres be hir adverſaris."

The account that this hiſtorian has given of the queen's conduct, is directly contradicted almoſt in every ſentence by the records, which, it appears, he has himſelf peruſed. At the ſame time it is eaſy to perceive the poor evaſion that our author pretends to make for this ſo ſtrange a detail, viz. 1. That Mary had inſiſted to confront, perſonally, Murray and Morton her accuſers, in preſence of Elizabeth, the whole Engliſh nobility, and foreign ambaſſadors; which Mr. Hume is pleaſed to ſay, was ſuch a requeſt as could not be granted. And, 2. That this requeſt being refuſed, Mary's commiſſioners had proteſted againſt all further procedure, on the 9th of December; the conferences, therefore, according to Mr. Hume, were " from that minute, as he has ſaid above, finally broke off. But this is a poor ſhift, in which Mr. Hume has followed Anderſon, who breaks off his collections, and gives us no more of the proceedings of the Engliſh council after the 16th of December 1567.

Let it be aſked, what was the baſis of theſe conferences, and the deſign of the parties by entering into them? Mr. Hume himſelf has told us above,

above, that the conferences were at firſt begun, and were ſtill continued with no other view than to clear Mary from the accuſations of her enemies: "Elizabeth, ſays he, had only entered into them "as her friend, by her own conſent," not aſſum- "ing any juriſdiction over her."

This, it muſt be acknowledged, was truly the footing the conferences were on: Mary deſired to be heard perſonally upon her defence; to confront and interrogate her accuſers in preſence of all the world: a demand, that will, as apprehended, be thought a moſt juſt and neceſſary one. Elizebeth refuſed it: Mary's commiſſioners, on ſo manifeſt a partiality, proteſted againſt all further procedure in the matter.

The conferences, however, were not broke off: On the ſixteenth of December, 1567, Elizabeth "wald not be content that ony of thame (the "Scots commiſſioners) ſhould depart into Scot- "land before the end of this conference." She allowed Murray and his aſſociates to proceed and produce the proof of their accuſation, and twelve days after the proteſt ſhe wrote to Mary, and adviſed her to make anſwer. This Mary had determined to do, before the date of Elizabeth's letter of the twenty-firſt of December; and had already written her reſolution to her commiſſioners on the nineteenth of that month, to have inſpection of Murray's proof, and doubles of all the writings, "and with God's grace, (ſays ſhe) I ſall mac ſic "anſwer to thair accuſatioun, as my innocence "ſall appear, and thair guilt."

It is plain therefore, that, as the conferences were intirely founded on the conſent of parties, allowing that Mary's commiſſioners, or that even ſhe herſelf had broke them off, yet, as Murray and his aſſociates, on their part, were ſtill going on

on before the Engliſh council, it was ſtill in Mary's power to reſume her defence, as Elizabeth herſelf deſired ſhe ſhould do; and which ſhe did accordingly, in the ſtrongeſt manner, by letters under hand and ſignet.

The conferences in England being ended, the original letters, ſaid to have been written by the queen to the earl of Bothwell, were never afterwards expoſed to light, queen Elizabeth having attained the double end, of blackening queen Mary, and ſecuring the dependency of Murray's faction, broke off all further enquiry.

That copies of the letters were ſoon after ſpread abroad, is univerſally known; after being in the hands of Elizabeth and her council, whoſe great aim, through the courſe of their proceedings, as has been ſhown, was to load Mary with the crimes imputed to her by her rebellious ſubjects; to countenance and ſupport them in their uſurpation; and to give a ſpecious pretence for detaining that princeſs a priſoner in England; it will ſcarce be imagined, that Elizabeth would loſe the fruit of her labour, which ſhe had, by ſo much induſtry and care, brought to maturity, by keeping locked up from the public, thoſe pretended evidences of Mary's guilt, her love-letters and ſonnets.

The originals produced were written in French, a language then as generally underſtood at the court of England, as it is at this day. What a fund this, of court ſcandal! how delicious to Elizabeth, to mortify ſo hated a rival, to her genius, to her beauty, to her kingdom! It will obviouſly occur, that Mary, by this time, when thoſe letters muſt have been in every body's hands, could eaſily have procured copies, and made anſwer to them. It is not to be doubted but ſhe muſt have got copies of them; but, a forgery cannot be detected from a copy,

a copy, and the inſpection of the originals had conſtantly been refuſed her. What anſwer then could ſhe make? an anſwer, however, ſhe did make. The biſhop of Roſs, the very ſame year 1569, publiſhed her defence.

As to the letters, they are aſſerted to be forged; and that it was notoriouſly known, that perſons about the queen had often been in the practice of forging letters in her name. They had neither date, addreſs, ſeal, nor ſubſcription. That, as they had only been collated by the queen's accuſers, there was no proof that they were of her hand-writing. "The perſon (ſays the biſhop) "who was ſurmiſed to be the bearer, (Nicholas "Hubert, or French Paris) at the time of his "execution, took it upon his death, as he ſhould "anſwer before God, that he never carried any "ſuch letter, nor, that the queen was participant, "nor of council in the cauſe." It appears then, "that though the queen was denied a ſight of the original letters, yet, under that diſadvantage, ſhe made a good anſwer.

There is no mention made of the letters after this, until the year 1571, when Buchanan publiſhed his libel, called "The detection of the do-"ings of Mary," both in Latin and in the Scotch dialect. Secretary Cecil immediately took care to have it printed in England, that ſame year 1571. The Latin copy had affixed to it the firſt three letters of Mary, tranſlated by Buchanan into that language; and the Scotch copy contained eight letters and the love verſes.

In the beginning of the year 1572, at the time of the duke of Norfolk's trial, a French tranſlation of Buchanan's detection was printed at London; to which were ſubjoined ſeven of theſe French letters, and the love ſonnets in verſe. The title

page

page bears, that it was printed "à Edimbourg le "13 de Fevrier 1572, par Thomas Waltam;" but there never was a printer in Scotland of that name.

The original letters themſelves, with the ſilver box, delivered back to Morton, being long ago loſt, this French copy of the detection, with ſeven of the French letters annexed to it, and the love ſonnet in rhime, has, now for theſe two hundred years, been looked upon, by all parties, as true copies of the originals, and underwent ſeveral editions as ſuch.

A late writer, Mr. Walter Goodall, keeper of the advocate's library at Edinburgh, who has been particularly careful in collecting materials for the hiſtory of thoſe times, a few years ago, publiſhed a critical examination of the letters: by comparing the three different copies of them together, he has very ingeniouſly ſhown, that thoſe pretended letters, ſaid to be written in French by queen Mary to the earl of Bothwell, muſt be ſpurious. His arguments may be reduced to this propoſition.

The letters ſaid to be written in French by the queen, as now extant, have, by all parties, been looked upon as true copies of the originals produced by Morton, and have, down to this time, paſſed unconteſted as ſuch.

Buchanan, the confident of Murray and Morton, who attended them both at York and London, had the letters in his cuſtody, and was ſo much maſter of their contents, that he was employed by Murray to ſhow and explain them to the Engliſh commiſſioners at York, and tranſlated the three firſt of them into Latin.

If then it can be ſhown, that, in place of the French being the originals, the Scotch copies are

the

the true originals, and that the French are apparently tranſlations from Buchanan's Latin, it is natural to conclude, that theſe French pretended originals are ſpurious. This Mr. Goodall has done.

By comparing the letters as they ſtand in the three different languages, he has, to a demonſtration, ſhown, that, inſtead of the Scotch and Latin being tranſlated from the French originals, theſe laſt are palpably a verſion from the Latin, and the Latin again a verſion from the Scotch: the Scotch is apparently original: the thoughts therein are eaſily and ſententiouſly turned, and replete with phraſes and proverbs peculiar to that language. Theſe are ſervilely expreſſed in the Latin, and ſometimes erroneouſly; and, as often as that happens, the French always adopts theſe errors of the Latin.

As Mr. Goodall's book is common, it will be ſufficient to quote two or three examples from the firſt letter, and refer to his book for the reſt.

1. The Scotch ſays proverbially, in letter firſt, "Thair's na receipt (meaning a preſcription of "phyſic) can ſerve againis feir." The Latin has "Nullam adverſus timorem eſſe medicinam."

And the French is, "Qu'il n'y avoit point de remede contre la crainte."

2. Scotch, "Ze have ſair going to ſee ſeik "folk." Another proverbial ſaying.

The Latin tranſlator has here committed no leſs than two blunders; he miſtook the word ſair (or ſore) for fair, and the word ſeik for ſic, (or ſuch) and has tranſlated them both erroneouſly in the laſt ſenſe:

"Bella hujuſmodi hominum viſitatio." And the French copies him thus: "Voyla une belle vi-"ſitation de telles gens."

3. The

3. The queen is made to ſay, that ſhe was going to ſeek her reſt till to-morrow, "quhen, (ſays "ſhe) I fall end my bybill," in place of her bylle, (or bill) a word uſed commonly at that time for any ſort of writing.

The tranſcriber, from the reſemblance of the two words, made it bybill; the Latin follows him in this abſurdity, "Ego eo ut meam quietem in-"veniam in craſtinum, ut tum mea biblia finiam;" and the French follows him thus: "Je m'en vay "pour trouver mon repos juſques au lendemain, "afin que je finiſſe icy ma bible."

It is unneceſſary to trouble the reader with any more of theſe quotations, whereby Mr. Goodall ſeems to have proved undeniably, that the preſent French letters, inſtead of being the originals, are, to a demonſtration, tranſlations from Buchanan's Latin, and from the Scotch copies of the letters. He has been ſo ſucceſsful in proving his point, that Mr. David Hume, and likewiſe Dr. Robertſon in the diſſertation on the murder of king Henry Darnley, annexed to his hiſtory, who both labour to vindicate the authenticity of the French letters produced by Murray and Morton, have been obliged fairly to acknowledge, that the French letters, now extant, are palpable tranſlations from Buchanan's Latin and Scotch copies of theſe letters.

A conceſſion the more remarkable, that it was never made before any individual on their ſide of the queſtion, the preſent French copy being always held to be the original from the year 1572, until the day that Mr. Goodall publiſhed his detection of his pretended original, and expoſed the impoſture.

Mr. Hume, and his ingenious friend the author of the Diſſertation, make light of this diſcovery of

Mr.

Mr. Goodall, and endeavour to evade the force of it, in the following manner: "The original letters," ſay they, "are now loſt, and we know "nothing of them." I ſhall cite the learned diſſertator's words in his anſwer to Mr. Goodall: "All this author," Goodall's, "premiſes may be "granted, and yet his concluſions will not follow, "unleſs he likewiſe prove, that the French letters, "as we now have them, are a true copy of thoſe "which were produced by Murray and his party "in the Scots parliament, and at York and Weſt-"minſter: but this he has not attempted."

Mr. Goodall is obliged to the learned doctor Robertſon for having done it for him in his Diſſertation, by fairly acknowledging, That Buchanan made his tranſlation not from the French, but from the Scotch copy."

This ſeems to carry conviction in it. The hiſtorian here ingenuouſly tells the truth, though, perhaps, he was not aware of the conſequences. Had there been any other French letters than the preſent, what occaſion had Buchanan for the Scotch, when he himſelf muſt have had poſſeſſion of the originals? The diſſertator had certainly forgot that Buchanan was actually one of the aſſiſtants appointed to the Scotch commiſſioners, and entruſted with the management of the whole proceſs; and did, with Lethington, Mackgil, and Wood, a lord of the ſeſſion, exhibit the original letters, and explain their contents in private to the Engliſh commiſſioners. Buchanan could not have loſt or miſlaid them, becauſe it is evident, from Mr. Anderſon's account, that thoſe letters were tranſlated by Buchanan at London in the time of the conferences.

The point in queſtion is, Whether ſuch French letters ever exiſted? Surely it is a fair concluſion

to

to aſſert, that if they did not exiſt with Buchanan they did not exiſt at all; and, if the Scotch commiſſioners, who were ſaid to produce them, never ſaw them, no body elſe ever did. It cannot be pretended that Buchanan did not underſtand the French; he paſſed moſt of his life in that country, and taught a ſchool there. Indeed, ſince the diſſertator has been reduced to deny that the French letters before us are true copies of the originals, by all laws of proof and criticiſm, it was his buſineſs to produce theſe originals. But how is it poſſible to fix men, who, after having, for two hundred years, quoted and inſiſted on theſe letters as originals, and have even commended the elegancy of their compoſition, on finding themſelves forced to give them up, have now recourſe to other letters, which they acknowledge to be loſt; and now pretend to ſay were never ſeen, even by Buchanan, who was employed by the public to produce them.

It was never till this day inſinuated by any of the partizans againſt queen Mary, that the preſent French letters were vitiated tranſlations. Not even Morton himſelf, nor Buchanan, who lived many years after their publication, ever ſaid ſo; which it was incumbent on them to have done. The ſilence thefore of thoſe two perſons, who had the originals in their hands, is a clear teſtimony to the authenticity of the preſent French copy, which now ſtands in place of the original.

That they are vitiated tranſlations, was never pretended by any body, till Mr. Goodall, in the year 1755, detected thoſe letters, and proved them, to a demonſtration, to be ſo. Every body muſt be ſenſible, that the conceſſion now made, would have come with a much better grace, had it been prior to Mr. Goodall's diſcovery: it therefore becomes

becomes incumbent upon thoſe, who diſpute their own copies, to produce the originals themſelves.

Mr. Hume will perhaps tell us again, That it is in vain, at this day, to object to the letters; they were regularly and judicially given in, and ought to have been canvaſſed at the time. This few will diſpute with him. Had the queen remained ſilent at the time when Murray produced his letters, this argument would have been concluſive: but, did ſhe remain ſilent on that occaſion? On the contrary, ſhe cried aloud, that her adverſaries had produced forged writings againſt her: ſhe prayed in vain, by repeated ſupplications, that they might be inſpected by her or her friends; and, at laſt, only begged to have copies of them; and ſhe undertook to prove the forgery.

What was the reſult of all this? The letters are huddled back in haſte to Murray and Morton, and they are ſent a packing to Scotland, with their evidence. What they did with them after that, there is no body, at this day can tell. All that is known concerning them, is, that they are loſt.

The concluſion to be drawn from this, is left to to every impartial perſon to infer, as he thinks proper.

But now, that it is ſaid the original letters are loſt, how is it poſſible to make good the accuſation againſt the queen? By copies, it would appear. Let it be ſo. Thoſe copies have now been examined, and detected to be vitiated, in ſuch a manner as has extorted an acknowledgment that the queen could not have written ſuch letters.

Any body would be perſuaded to think, that here the argument muſt naturally conclude in favour of the queen. It is not ſo, however. We are told, that, although the letters now extant

cannot be ſaid to be either the originals, or copies from the originals, yet they are tranſlations from tranſlations at the third hand.

"The French tranſlator of theſe letters," ſays the ingenious diſſertator, "declares that he tranſ-"lated them from the Latin." He ſays, indeed, That, having no manner of knowledge of the Scotch language, he choſe rather to expreſs all that he found in the Latin. That this could not comprehend all the letters, is evident from hence, that there were only three of them put into Latin by Buchanan; and the reſt were in Scotch, a language which, he ſays, he knew nothing of. How then got he theſe laſt? But we ſhall ſhow that this was only a blind, in order to diſguiſe himſelf. We ſhall therefore endeavour to ſtrip this Engliſh impoſtor of the French diſguiſe he has choſen to cloak himſelf under: for which purpoſe it is neceſſary to trace back the hiſtory of thoſe French letters.

It has been ſhewn already, that, in the year 1571, Buchanan publiſhed his libel, called Detectio Mariæ, both in the Latin and Scotch languages; to which he ſubjoined, in the Latin language, a tranſlation of the three firſt French letters, and all the eight letters in the Scotch language.

The very next year, 1572, about the time of the duke of Norfolk's condemnation, and while a treaty was carrying on between Elizabeth and the king of France, it was proper to publiſh a tranſlation into French of the detection, with all the letters, which, being ſaid to be originally written by the queen in French, were ſurely printed verbatim from the originals. To ſuppoſe otherwiſe, that theſe letters, printed and publiſhed along with the French tranſlation of Buchanan's Detectio, were tranſlations done into French from the three letters

ters publiſhed by Buchanan in Latin, appears to be quite incredible. For theſe letters, after being produced both in Scotland and England, in the years 1567, 1568, 1569, and 1571, with the well known care and induſtry ſhown by Elizabeth and ſecretary Cecil, in promulgating every ſcandal againſt queen Mary; and, for that very purpoſe, uſing every means to give credit to Buchanan's books, muſt have made the French letters, ſaid to be written by Mary, very common and in every body's hands. It is therefore contrary to all human probability to ſuppoſe that this French tranſlator of the Detection, publiſhed in London, or where you will, could not procure a copy of the French letters themſelves, to annex to his book; but was ſo hard put to it, that he even tranſlated the letters himſelf into French from thoſe in Latin publiſhed by Buchanan. Yet, improbable as this is, let us ſuppoſe it to be the caſe; ſtill it will not anſwer.

This publiſher of the French detection has averred, That he had no knowledge of the Scotch language, and therefore choſe to expreſs all that he found in the Latin. But Buchanan tranſlated only three of the letters into Latin: from what hand, therefore, did this ſuppoſed Frenchman procure the other four letters in French? For he publiſhed ſeven of them produced by Murray and Morton. Will it be ſaid, that, after finding he could not procure copies of all the original French letters, he tranſlated the three firſt letters from Buchanan's Latin verſion; and, for the other four, he had recourſe to ſome friendly Scotchman, who tranſlated theſe into Latin, from which the Frenchman tranſlated them again into French, in the ſhape they now ſtand? This appears highly abſurd and improbable.

But even to make this ill-contrived tale go down, he tells a downright falſhood. He ſays that all the French letters were tranſlated into Latin, from which language he choſe to tranſlate all that he found. From all which it ſeems pretty evident, that the affected diſguiſe and lies of this impoſtor, were contrived to make us believe, that this book was not printed in London.

But, after all this, it may be aſked, Wherefore all this contrivance; this ſtudied diſguiſe and impoſture? No body is at pains to tell lies, or diſguiſe the truth, but for ſome end or other. This will not be very hard to account for.

We have already detected this publiſher in a groſs falſhood in the title of his book, that it was printed at Edinburgh (a Edimbourg) by Thomas Waltam, where there never was ſuch a printer: and likewiſe in another, in aſſerting that the whole ſeven French letters were entierement traduites en Latin. As he has, therefore, ſtudiouſly concealed the place where his book was publiſhed, it is only from circumſtances that this matter can be found out.

In the year 1571, negotiations between the Engliſh and French courts were on foot, touching the duke of Anjou's propoſal for marrying queen Elizabeth. Mary had always a miniſter at the French court, ſolliciting her releaſe from the hands of Elizabeth: and, at this very period, her relation, the duke of Guiſe, by obliging Colligni to raiſe the famous ſiege of Poictiers, was in the height of glory and power at that court. It therefore became neceſſary for Elizabeth to defeat thoſe ſollicitations of Mary, by giving plauſible reaſons for detaining in priſon that princeſs; and, above all, to expoſe her conduct to the princes on the continent in the blackeſt colours.

With

With regard to the Engliſh nation, Elizabeth had ſufficiently accompliſhed the above meaſure, by publiſhing ſeveral Engliſh editions of Mary's letters, and George Buchanan's Detection.

But theſe books were confined to England. Beſides, being in the Latin, and Scotch or Engliſh languages, in order to anſwer the preſent purpoſe of diffuſing the libel againſt Mary through Europe, it became neceſſary to have it tranſlated into the French language, then more generally underſtood upon the continent. Another accident, which fell out about the ſame time, concurred to promote this deſign.

The duke of Norfolk having renewed his propoſals of marriage to queen Mary, and joined with her in ſolliciting the king of Spain to reſtore her to her own dominions, that whole affair was diſcovered: the duke was brought to his trial, and condemned for high-treaſon, on the twelfth of January, 1572. But, as that nobleman was extremely beloved by all ranks in the kingdom, and had great connections abroad, it was thought proper to reſpite his execution till May thereafter; and, in the interim, to pave the way by ſhowing the expediency of it, from his connections with Mary, that dangerous rival! and, likewiſe, to expoſe that queen, particularly to the court of France, at a time when the treaty between Elizabeth and Charles was in agitation.

The inſtructions given by Elizabeth to her miniſter at the court of France, are in theſe words: "It were not amiſs to have divers of Buchanan's "little Latin books to preſent, if need were, "to the king, as from yourſelf, and to ſome of "the other noblemen of his council, for they will "ſerve to good effect to diſgrace her."

To anſwer theſe purpoſes, the French tranſlation of Buchanan's Detection, with the letters ſubjoined, ſeems to have been made. Had it been only calculated for the meridian of France, and to expoſe queen Mary, no more was neceſſary to be printed than only the French Detection, with the original letters. But what plainly ſhows that this book was manifeſtly deſigned to ſerve another turn, as well in England as abroad, is the book itſelf: there is annexed to it a treatiſe, entitled "Sommaire de conſpirations faites par la royne "d'Ecoſſe contre la perſonne et l'etat de la royne "d'Angleterre." This treatiſe is no other than a libel againſt the duke of Norfolk and Mary; and, by its date on the laſt leaf, appears to have been finiſhed on the thirteenth of February, 1572, juſt a month after the duke's condemnation.

There is likewiſe another piece of evidence, which ſeems to put the matter out of all doubt, that this book was printed at London.

In the above treatiſe, or Sommaire, mentioning perſons who had been condemned and executed for treaſon, inſtigated, as is alledged, by Mary; it is ſaid, "Entre leſquelles au commencement de "cette anne 1572, etoit unne Angloi nomme "Mather,----avec un autre nomme Barn."

Theſe men we know for cetain were executed at London on the eleventh of February, 1572, and the book was finiſhed at the printing-houſe, "Achevee d' imprime le 13." of February that year. It is impoſſible, therefore, that a book, printed any where elſe than in London, of that date, could give an account of executions which happened there only two days before.

There is one way to evade the force of this laſt evidence, by ſaying, that, as the place of printing

is

is diſguiſed, the date may be ſo too. Many reaſons may be aſſigned for not avowedly printing, in London, ſo inflammatory a libel againſt the firſt and greateſt peer of the realm, a man in ſuch general eſtimation as the duke of Norfolk then was, and at ſo critical a time, as when he lay under condemnation. But, wherever the book may have been printed, no reaſon can be framed for imagining the date to be any other than what it now bears.

We have already ſtated and obviated one general obſervation of Mr. Goodall's, that, as the place of printing this French edition is fictitious, the date may be ſo too. To prove that it was printed in France, he has produced the teſtimony of two French writers. The firſt is Blackwood, who ſays, "Buchanan a depuis adjouſté aceſte declamation "un petit libelle du pretendu mariage du duc de "Norfolk, et de la facon de ſon proces, et le tout "envoye aux freres a la Rochelle, leſquels voyants "quil pouvoit ſervir a la cauſe, l'ont traduit en "François, et iceluy fut imprimee a Edimbourg, "c'eſt a dire, a la Rochelle, par Thomas Waltam, "nom apoſté et fait a plaiſir."

The other teſtimony is the author of L'Innocence de Marie, who ſays, the Detection "premierement compoſe par George Buchanan, et depuis traduit en langue Françoiſe par un huguenot, Poitevin Camuz." The diſſertator ſhould have taken in the whole account which this laſt author gives of the hiſtory of this detection; which defect we ſhall endeavour to ſupply: "Libelles diffamatoires, eſpars et publiez par tout: nemmement un, imprime du 17. Feburier, 1572, envoye ſecrettement, et a cachette expoſe par la France, contre celle Royne d'Ecoſſe, & le duc ſuſ-nomme, lors que le roy treſ-chreſtien,

"treſcher frere, & ancien alie de ceſte princeſſe "captive, eſtoit ſur le traite d'un ligue avec la "royne d'Angleterre."

This laſt teſtimony ſeems to be directly againſt the diſſertator. The author ſays, indeed, that the Latin Detection of Buchanan was tranſlated into French by one Camuz. Nobody will diſpute that it was ſo; but it ſays nothing of the place where it was printed. On the other hand, by the words "Envoye ſecrettement, et expoſe par la France," it is plain, that, according to this author, it was not printed there, but was ſent thither afterwards, and diſperſed through that kingdom from its lurking holes. Blackwood, indeed, on account of the diſguiſed title, conjectures that it was printed by the Huguenots at Rochelle to ſerve their cauſe.

This libel againſt the duke of Norfolk, a zealous proteſtant, could no way ſerve the cauſe of the French Huguenots? However, the diſſertator has furniſhed two very good evidences of his own chuſing, to aſcertain a fact which is very material in this enquiry. This fact is, that Buchanan, who was the original author of the Detectio Mariæ, and tranſlated the ſame into the Scotch language, with the addition of the letters and verſes, for the benefit of the two kingdoms of Scotland and England, had likewiſe a ſhare in this French edition, whether printed in London, or ſent to his brethren at Rochelle.

Since, therefore, the ingenious diſſertator has produced thoſe two witneſſes, "whoſe teſtimo-"nies," to uſe his own words, "muſt outweigh a "ſlight conjecture," they ſhould by no means be rejected. One thing he muſt allow, however, that their teſtimonies may be taken as they ſtand, without retrenching any part of them.

That

That being granted, the next thing to be conſidered, is, Whether the authorities already recited prove, that the French edition of the Detection and letters, was printed in London? Or, e contra, That the declarations of the French witneſſes preponderate, and prove them to have been printed in France?

But this author aſſures us, that the teſtimony of thoſe Frenchmen outweighs all conjecture. They muſt therefore be relied upon; and they, at leaſt Blackwood ſays it, were tranſlated and printed at Rochelle. If that is the caſe, who furniſhed them with the materials for this tranſlation?

The ſame Blackwood ſays expreſly, That Buchanan ſent the whole to his brethren at Rochelle. Now, if Buchanan ſent the whole, as Blackwood affirms, he certainly would ſend a faithful copy of the original French letters, which all the world knows him to have been poſſeſſed of.

In either caſe, therefore, whether thoſe French letters be allowed to have been printed at London, or in France, there is clear evidence, that the publiſher muſt have printed them from the originals. If in London, there they were in every body's hands; and Cecil, Elizabeth's ſecretary, muſt have managed the affair. If in France the learned diſſertator has proved, that Buchanan ſent them over to his friends at Rochelle.-------Had our ingenious author attended to theſe circumſtances, he would certainly have ſaved his labour, in adducing his French witneſſes to prove a very material fact, which overturns his whole hypotheſis.

This gentleman made uſe of another argument to prove his favourite point, of the French letters being only tranſlations,

"In the Scotch tranſlation," ſays he, "there "was prefixed to each letter two or three ſentences "of the original French, which breaking off with "an &c. the Scotch tranſlation of the whole fol-"lowed.--------The French editor," continues he, "obſerving this, fooliſhly concluded, that the let-"ters had been written partly in French, partly in "Scotch."

In anſwer to this, we have already ſhown, that nothing can be founded on what this French editor, or Engliſhman rather in a French dreſs, ſays, with a plain deſign to impoſe on us. But, to imagine that he was either ignorant or fooliſh in this affair, will not eaſily paſs.

Next, our author endeavours to ſupport this argument of his, by ſhowing, that, on comparing thoſe few French ſentences on the head of the letters, with thoſe parts of the French letters that follow them, it will plainly appear, that the ſentences, by the ſpirit and elegance in them, are the only remaining parts of the original French, as written by the queen; and what follows them, are only ſervile tranſlations from the Latin verſion of Buchanan. To prove this, our learned author gives ſome few examples. For inſtance:

"The ſentence," ſays he, "in the beginning of "the firſt letter, has theſe words: Veu que ce peut "un corps ſans cœur.---The Latin is, Cum plane "perinde eſſem atque corpus ſine corde."

"There is a ſpirit and elegance in the French," ſays our author, "which is not in the Latin." How far the remark is juſt, or not, is ſcarce worth while to controvert. If there is either ſpirit or elegance in the ſentence, it obviouſly lies in the thought, not in the words or expreſſion; in the antitheſis of "a body without a heart," which

ſeems

ſeems to be as happily expreſſed by corpus ſine corde, as by corps ſans cœur; whence it is difficult to ſay which is moſt original.

But, it muſt be acknowledged, that in one or two inſtances, which he gives from theſe ſentences, there ſeems to be a happier turn of phraſe than in the Latin. But ſtill this only ſhows, what every man of reading muſt daily have obſerved, that the moſt wretched and dull tranſlation, in ſome particular ſentences ſcattered through it, may even ſurpaſs the original in the turn of a phraſe, which may be more owing to the language, than to the tranſlator's merit. And the truth of this propoſition may even be ſhown from the parts of thoſe very French letters, which our author allows to be palpable tranſlations. A few examples may not be unacceptable to the reader.

" Vint a moy un gentilhomme envoye par le " conte de Lenos." The Latin expreſſes it thus: " Homo honeſto loco natus a comite Leviniæ ad " me venit."

LETTER I. The queen is made to ſay, " I ſee " na uther gentilman bot thay of my company."

" Je ne voy aucuns de la nobleſſe outre ceux de " ma ſuite."

" Nullos præterea nobiles video præter meos " comites."

LETTER I. The king, in excuſing himſelf, is made to ſay, " I am young."

" Je ſuis jeune."

" Ego ſum adoleſcens." --- How like a ſchoolboy is this expreſſed in the Latin! which, by the bye, does not convey the meaning of the ſentence, which more properly might have been rendered thus: " Adhuc juvenis ſum."

It

It will be readily granted, by every man of learning, that, in the above inſtances, there is a much eaſier turn of phraſe in the French tranſlation, than in the Latin; which proves no more than what is ſaid above, that, in ſome ſcattered ſentences, a poor and low tranſlation may expreſs the thought better than the original. Mr. Goodall's critical obſervations on the letters, are, however, quite of another ſort: he has ſhown, by many inſtances, that the Scotch are the real originals; that, in tranſcribing them, ſome errors, ſuch as byble for bylle, have been made which have been followed by the Latin tranſlator, who makes it biblia, and the French, ſaid to be the original of all, follows the error of the Latin, and tranſlates it bible.

In the ſame manner, the Scotch word irkit (i. e. weary) has been erroneouſly, from its ſimilarity, read nakit, tranſlated nudata in the Latin, and by the French nue after the Latin, tho' it makes the ſentence apparently nonſenſe. But it is unneceſſary to add any thing farther on this ſubject; ſince both our author, and Mr. David Hume, the other combatant for the authenticity of the letters, do plainly acknowledge, that Mr. Goodall has proved the preſent French letters to be direct tranſlations from the Latin.

There remains one argument more to anſwer, which is uſed by Mr. Hume: The preſent French letters, he acknowledges, are profeſſedly done from the Latin; no body can diſpute, that the Latin is a tranſlation from the Scotch.

"But, (ſays Mr. Hume) it appears, that the "Scotch itſelf is only a tranſlation from ſome other "French original, which we have now loſt." What a ſtrange proceſs have we here? all to ſhow, that the publiſher of the preſent French letters could not, for his heart, procure ſo much as a copy

copy of the original French letters to print with his book, although theſe pretended originals muſt have been in every body's hand at that time; and therefore, to ſupply that defect, he tranſlated his French letters from the Latin, which was a tranſlation from the Scotch, which laſt was a tranſlation from a certain French original; which, according to this hypotheſis of Mr. Hume, is loſt, and we know nothing about it.

Mr. Hume's proof of all this, namely, that the Scotch is not the original, as Mr. Goodall affirms, is, becauſe this Scotch copy of the letters, ſays he, abounds with Galliciſms, and French words: ſuch as "Make fault, faire des fautes; --- make it "ſeem that I believe, faire ſemblant de le croire; "--- this is my firſt journay, c'eſt ma premiere "journee, &c."

From theſe inſtances he infers, in a very deciſive manner, that the Scotch letters are not originals, but tranſlations from a French original.

The anſwer to this is, that any perſon, converſant with the language and writings in queen Mary's time, and even after that period, will ſee, that from the long and continued intercourſe and connection between the Scotch and French nations at that time, the Scotch language abounded with Galliciſms, and even with French words; ſome of which, though now almoſt worn out in our writings, yet remain to this day in our language, eſpecially among the vulgar.

Mr. Hume himſelf, and every other Scotchman, knows well what the vulgar mean by giving a bonaillie, boneallee, or departing pint; alſo, in the ſame ſenſe, giving one's foy. --- To give a benniſon, or bleſſing, is ſtill a vulgar phraſe; and the beggar's benniſon, which gives title to a very numerous ſociety in Scotland, is univerſally known.

Old

Old people ſtill give the name of montre to a watch; and a jardelou, or gar de l'eau, is pretty well known in Edinburgh, even at this very day.

The writings of thoſe times furniſh other examples: In the earls of Huntley and Argyle's proteſtation, Lethington ſays, "Tak you na care, "we ſal fynd an moyen to make her quit of him." --- Queen Mary, in anſwer to Murray and Morton's accuſation againſt her, ſays, "They have "meſchantlie ſclanderit her."

Secretary Lethington, confeſſedly the beſt Scotch writer of that time, in his letter to Cecil, the Engliſh ſecretary, uſes the word appuy, for ſupport.

Sir James Melvil's Memoirs, page 184, "O-"thers of the fineſt of them perſuaded the regent." By the word fineſt, in this place, is meant the moſt ſubtle, cunning, or penetrating genius, from the French words fin and finet, a cunning or ſubtle man; a word not known or uſed, either in writing or common ſpeech, at this day.

In the very next page of Melvil: "He deſired "the accuſation to be rendered up to him again. And ſecretary Cecil uſes this phraſe, "And be-"cauſe it was bruited, i. e. rumoured." See page 35.

Theſe are a few of many inſtances that eaſily occur, which may be ſufficient to ſhow Mr. Hume, that Galliciſms and French words abounded in the language; and alſo in the original Scotch writings in thoſe days, as well as in the letters he mentions. Whence the inference he is pleaſed to make, that the Scotch letters are, for that reaſon, no originals, but tranſlations from ſome other French originals, muſt fall to the ground.

But

But further, there appears in the Scotch copy of the letters, a ſpirit, and ſo happy a turn of phraſe, altogether peculiar to that language, and ſo very different from the languor, baldneſs of expreſſion, and ſervility of both the French and Latin copies, that plainly denotes the firſt to be altogether original in every ſenſe. This will abundantly appear from a few phraſes of the firſt letter only.

" A gentleman of the earl of Lennox came and " made his commendatiouns to me." This phraſe is ſtill uſed in the Scotch language, to ſignify, he preſented his compliments.

" This ſpeech was of his awin head, without " ony commiſſion."

" There is na receipt can ſerve againis feir." --- A proverb.

" He hes ever the teir in his eye."

" Fals race --- they hae bene at ſchullis togid- " der."

" He hes almaiſt ſlane me with his braith."

" Ye have ſair going to ſee ſick folk."

" He gave me a check in the quick."

" Excuſe that thing that is ſcriblit."

Theſe few examples of proverbial ſentences and phraſes, peculiar to the Scotch language, and to which the French have nothing ſimilar in their language, are ſufficient to ſhow, that this Scotch copy of the letters, is not only the original of the three copies of the letters ſtill extant, but likewiſe, that it is not a tranſlation at all, but a true original in every ſenſe.

Both Mr. Hume and the diſſertator have fairly acknowledged, that this Scotch is the original of the three copies extant of theſe letters. If, notwith-

withſtanding, Mr. Hume will ſtill maintain, that this Scotch copy may, for all this, be a tranſlation from ſome other French original; that original ſhould be produced, or, at leaſt, it ſhould be made appear, that there has exiſted other French letters beſides the preſent copy; and how this other ſuppoſed original came to be loſt, after being in every body's hands, both in Scotland and England, otherwiſe his bare aſſertion muſt go for nothing.

The learned Dr. Robertſon, in the diſſertation annexed to his hiſtory, having, on his part, made a very accurate examination of the letters; from thence he concludes, both from the external and internal circumſtances attending them, that they are genuine: it is but juſtice, therefore, to exhibit to the reader an abſtract of that gentleman's obſervations.

The external proofs of the genuineneſs of Mary's letters, (ſays the diſſertator) are,

1. Murray, and his adherents, affirmed, upon their word and honour, that the letters were written with the queen's own hand.

2. The letters were produced in the regent's parliament, and are mentioned in the act againſt Mary, as the chief argument of her guilt.

3. They were ſhown privately to the duke of Norfolk, earl of Suſſex, and ſir Ralph Saddler, Elizabeth's commiſſioners at York, who conſidered them as genuine.

4. They were, by Elizabeth and her miniſters, believed to be genuine: they laid them before the Engliſh council, who, on comparing them with other letters of Mary, believed them to be genuine.

5. The

5. The earl of Lennox and his lady believed Mary guilty of the murder.

Next with regard to the internal proof of the genuineneſs of theſe letters, we may (ſays Dr. Robertſon) obſerve:

" 1. That, whenever a paper is forged with a " particular intention, the eagerneſs of the forger, " to eſtabliſh the point in view, his ſollicitude to " cut off all doubts and cavils, and to avoid any " appearance of uncertainty, always prompts him " to uſe expreſſions the moſt explicit, and full to " his purpoſe.

" The paſſages foiſted into ancient authors, by " heretics in different ages; the legendary mira- " cles of the Romiſh ſaints; the ſuppoſitious " deeds in their own favour, produced by monaſ- " teries; the falſe charters of homage, mentioned " vol. i. p. 11. are ſo many proofs of this aſſertion. " No maxim ſeems to be more certain than this, " that a forger is often apt to prove too much, " but ſeldom falls into the error of proving too " little.

" The point which the queen's enemies had to " eſtabliſh, was, That as the earl of Bothwell was " the chief executor of the horrible and unworthy " murder perpetrated, &c. ſo was ſhe of the fore- " knowledge, counſel, device, perſuader, and " commander of the ſaid murder to be done." Good. vol. ii. p. 207.

" But of this there are only imperfect hints, " obſcure intimations, and dark expreſſions in the " letters; which, however convincing evidences " they might furniſh, if found in real letters, bear " no reſemblance to that glare and ſuperfluity of " evidences which forgeries commonly contain. " All the advocates for Mary's innocence, in her

" own age, contend that there is nothing in the " letters which can ſerve as a proof of her guilt. " Leſley, Blackwood, Turner, &c. abound with " paſſages to this purpoſe; nor are the ſentiments " of thoſe in the preſent age different.

" Yet ſtill it might have been expected (ſays her " lateſt defender) that ſome one or other of the " points or articles of the accuſation ſhould be " made out clearly by the proof. But nothing of " that is to be ſeen in the preſent caſe. There is " nothing in the letters that could plainly ſhow " the writer to have been in the fore-knowledge, " counſel, or device of any murder, far leſs to " have perſuaded or commanded it; and, as little " is there about maintaining or juſtifying any " murderers." Good. vol. i. p. 76.

" How ill adviſed were Mary's adverſaries to " contract ſo much guilt, and to practiſe ſo many " artifices in order to forge letters, which are ſo " ill contrived for eſtabliſhing the concluſion they " had in view? Had they been ſo baſe as to have " had recourſe to forgery, is it not natural to " think, that they would have produced ſome- " thing more explicit and deciſive.

" 2. As it is almoſt impoſſible to invent a long " narration, conſiſting of many circumſtances, and " to connect it, in ſuch a manner, with real facts, " that no mark of fraud ſhall appear; for this rea- " ſon ſkilful forgers avoid any long detail of cir- " cumſtances, eſpecially of foreign and ſuperflu- " ous ones, well knowing, that the more theſe " are multiplied, the more are the chances of de- " tection increaſed. Now Mary's letters, eſpe- " cially the firſt, are filled with a multiplicity of " circumſtances, extremely natural in a real cor- " reſpondence, but altogether foreign to the pur- " poſe of the queen's enemies, and which it would

" have

" have been perfect folly to have inſerted, if they " had been altogether imaginary, and without " foundation.

" 3. The truth and reality of ſeveral circum- " ſtances in the letters, and theſe too of no very " public nature, are confirmed by undoubted col- " lateral evidence. Letter I. Good. vol. ii. p. 1. " The queen is ſaid to have met one of Len- " nox's gentlemen, and to have ſome converſa- " tion with him. Thomas Crawford, who was " the perſon, appeared before Elizabeth's com- " miſſioners and confirmed, upon oath, the truth " of this circumſtance. He likewiſe declared, that " during the queen's ſtay at Glaſgow, the king " repeated to him, every night, whatever had " paſſed, through the day, betwixt her majeſty " and him, and that the account given of theſe " converſations in the firſt letter, is merely the " ſame with what the king communicated to him. Good. vol. ii. p. 245.

" According to the ſame letter, there was much " diſcourſe between the king and queen concern- " ing Mynto, Hiegait, and Walcar." Good. vol. ii. p. 8. 10, 11.

" What this might be, was altogether unknown, " till a letter of Mary's, preſerved in the Scotch " college at Paris, and publiſhed by Keith, pref. " p. vii. diſcovered it to be an affair of ſo much " importance, as merited all the attention ſhe " paid to it at that time. It appears, by a letter " from the French embaſſador, that Mary was " ſubject to a violent pain in her ſide," Keith. ibid.

" This circumſtance is mentioned, Let. II. " p. 30. in a manner ſo natural, as can ſcarce be- " long to any but a genuine production."

" 4. If we ſhall ſtill think it probable to ſup- " poſe, that ſo many real circumſtances were art-

" fully introduced into the letters by the forgers, " in order to give an air of authenticity to their " production; it will ſcarce be poſſible to hold the " ſame opinion concerning the following parti- " cular. Before the queen began her firſt letter " to Bothwell, ſhe, as is uſual among thoſe who " write long letters concerning a variety of ſub- " jects, made notes, or memorandums of the par- " ticulars ſhe wiſhed to remember; but, as ſhe " ſat up writing during a great part of the night, " and after her attendants were aſleep, her paper " failed her, and ſhe continued her letter upon the " ſame ſheet on which ſhe had formerly made her " memorandums. This ſhe herſelf takes notice " of, and makes an apology for it: 'It is late; I " deſire never to ceaſe from writing unto you, yet " now after the kiſſing of your hands, I will end " my letter. Excuſe my evil writing, and read it " twice over. Excuſe that thing that is ſcriblit, " for I had na paper zeſterday, when I wrait that " of the Memorial." Good. vol. ii. p. 28.

" Theſe memorandums ſtill appear in the mid- " dle of the letter; and, what we have ſaid ſeems " naturally to account for the manner how they " might find their way into a real letter. It is " ſcarce to be ſuppoſed, however, that any forger " would think of placing memorandums in the " middle of a letter, where, at firſt ſight, they " make ſo abſurd and ſo unnatural an appear- " ance. But, if any ſhall ſtill carry their refine- " ment ſo far, as to ſuppoſe that the forgers were " ſo artful as to throw in this circumſtance, in " order to preſerve the appearance of genuineneſs, " they muſt at leaſt allow, that the queen's ene- " mies, who employed theſe forgers, could not be " ignorant of the deſign and meaning of theſe " ſhort notes and memorandums; but, we find

" them

" them miſtaking them ſo far, as to imagine, that " they were the credit of the bearer, i. e. points con- " cerning which the queen had given verbal in- " ſtructions." Good. vol. ii. p. 152.

" This they cannot poſſibly be; for the queen " herſelf writes with ſo much exactneſs concerning " the different points in the memorandums, that " there was no need of giving any credit or inſtruc- " tions to the bearer concerning them. The me- " morandums are indeed the contents of the letter."

" 5. Mary, mentioning her converſations with " the king about the affair of Mynto, Hiegait, &c. " ſays, ' The morne [i. e. to-morrow] I will ſpeak " him upon that;' and then adds, As to the reſt " of Willie Heigait's, he confeſſit it; but it " was the morne, [i. e. the morning] efter my cum- " ming or he did it." Good. vol. ii. p. 9.

" This addition, which could not have been " made till after the converſation happened, ſeems " either to have been inſerted by the queen into " the body of the letter, or, perhaps, ſhe having " written it on the margin, it was taken thence in- " to the text. If we ſuppoſe the letter to be a real " one, and written at different times, as it plainly " bears, this circumſtance appears to be very na- " tural; but no reaſon could have induced a for- " ger to have ventured upon ſuch an anachroniſm, " for which there was no neceſſity."

Such are the arguments uſed by the diſſertator in ſupport of the genuineneſs of the letters; to which the following objections may be made: and firſt, with reſpect to what the diſſertator calls " his external proof, all his arguments may be thus ſhortly anſwered.

That Murray, Morton, and their party, the queen's accuſers, produced certain letters in their

ſecret council and parliament, and afterwards in England before queen Elizabeth and her council, and aſſerted them to be genuine, is univerſally known. And likewiſe it muſt be remembered, that the exhibition and collation of thoſe letters, was made entirely by the accuſers themſelves: and that, upon Mary's aſſerting them to be a forgery, and, with the utmoſt ſollicitude, ſupplicating for an inſpection of the letters themſelves, from which ſhe offered to prove the forgery; or, at leaſt, to have copies of them delivered to her; that this requeſt was refuſed: and, to ſtop all further queſtions, that thoſe gentlemen, Murray, Morton, and their other aſſociates, were directly ſent to Scotland with their box and letters, which never afterwards ſaw the light. The internal proofs of the authenticity of the letters come next under conſideration.

1. That the eagerneſs of a forger would have naturally hurried him on to make the letters quite explicit, with regard to Mary's acceſſion to the king's murder, of which only dark hints are given in the letters: whence Leſly, and others of the queen's friends, have inferred, that the letters are no proof of the crimes alledged againſt her.

It is anſwered, that the obſervation may hold good in ſome caſes; and, if the letters in queſtion had been the manufacture of one ſingle perſon, it is very poſſible he might have run into the ſame extreme. But let it be conſidered, who are the ſuppoſed actors in this ſcene, Murray, Morton, ſecretary Lethington, and George Buchanan, a junto; which it will be difficult to parallel in any nation, or at any time together. Can raſhneſs, or want of capacity, be imputed to ſuch a knot of politicians? Yet let it be ſuppoſed that even they might err, one inſtance has been already produced, where,

where, in all probability, the compilers of the letters did err, and were hurried on by this eagerneſs, ſo common to forgers, to wit, in making theſe letters, at their very firſt appearance in the ſecret council, bear the queen's ſubſcription, which, upon cool reflection, to ſuch "foul and "abominable matter, to be either thought of or "written by a prince," would render the whole ſuſpicious: they therefore wiſely ſtifled their firſt production, almoſt in its birth, and, in every after appearance of this ſuppoſitious foundling, they choſe to exhibit him anonymous.

In this they well enough foreſaw there could be no danger: they knew that the contents of the letters, with their account of the way by which they came into their poſſeſſion, lame as it was, would anſwer all the purpoſes they intended before ſo well diſpoſed a judge as Elizabeth.

It ſhews no great impartiality in the diſſertator, to uſe an argument from the mouths of queen Mary's friends againſt herſelf, as if they had pleaded that the letters were not concluſive. It is impoſſible, that the moſt innocent of mortals, could treat any indignity offered them, with greater deteſtation and reſentment, than the queen herſelf has done Murray's accuſation, in all her letters to Elizabeth, and her own commiſſioners, laid before the Engliſh council. What other than a conſciouſneſs of her own innocence, and the moſt ſenſible feelings of the indignity done to her character, could have made this princeſs, a ſovereign and crowned head, inſiſt to be brought perſonally herſelf, in preſence of queen Elizabeth, her nobility, and foreign miniſters? What was in the power of innocence and invention to do more, to wipe off ſo foul a ſtain? She has, at the ſame time, in the ſtrongeſt language, aſſerted the letters to be

forged by Murray and his inſtruments, and that ſhe would prove the ſame.

Eloquent as her two recent antagoniſts are, they will hardly undertake to deny any imputation in more expreſſive terms, than biſhop Leſly has made uſe of in defence of the queen, in his anſwer to Murray's accuſation and pretended proofs. If, at the ſame time, his zeal makes him throw out ſome weak arguments in defence of his miſtreſs, ſurely her cauſe cannot ſuffer upon that account.

Second and third arguments, That the contents of the letters are natural; and the truth of the circumſtances mentioned therein, proved by other collateral evidence.

In anſwer to this, Let us conſider the plan that the ſuppoſed manufacturers of the letters muſt neceſſarily have followed in their work. They were to write letters, as from the queen at Glaſgow to her paramour, Bothwel', in Edinburgh; which, by certain paſſages in them, ſhould indicate a criminal correſpondence between the queen and Bothwell; and theſe to be interwoven with certain other incidents, relating to herſelf and other perſons; and occurrences that really happened while the queen was at Glaſgow.

The firſt thing to be done in proſecution of this plan, muſt ſurely have been to get good information of the queen's ſituation at that time; of what perſons were about her, and what occurrences then happened in her preſence. For compaſſing all this, they could be under no difficulty. Murray, Morton, and Lethington, were all of them, at that time, in the queen's confidence: Lethington was her ſecretary: none of them, therefore, could be ignorant, that ſhe, at that time, was troubled with a pain in her ſide. Beſides, as the earl of Lennox's people were then in the houſe about the king's

king's perſon, particularly Thomas Crawford, the perſon mentioned in the firſt letter, they muſt eaſily have known every thing that happened to the queen, or in her company, at Glaſgow, only a few months before.

This Crawford was brought before the Engliſh commiſſioners, as a witneſs for the truth of ſome of theſe circumſtances mentioned in the letters, which probably were all very true, as no doubt his declaration alſo was; and yet can be no evidence that the letters were not forged. For, is it to be doubted, that this Crawford, who was ſent by the earl of Lennox as a ſpy upon the queen, during her ſtay with the king at Glaſgow, (and who declared, that the king told him every night, every article of the converſations that paſſed between the queen and him) would again faithfully relate all that paſſed, not only to his maſter Lennox, but alſo to others. The contrivers of the letters, then, could not poſſibly meet with a properer perſon than this very Crawford, to inform them of theſe occurrences and converſations, and afterwards to give teſtimony to the truth of his own narrative.

It is proper, however, to obſerve upon this head, that a more juſt and well-founded ground of ſuſpicion cannot ariſe, than from an over-exact and minute concurrence of witneſſes, in every particular: ſuch preciſe agreement muſt always appear to be ſtudied, and preſuppoſes a colluſion. To apply this to Crawford's teſtimony in the caſe before us.

The queen, in her firſt letter, is made to recite to Bothwell, according to her remembrance, what paſſed in ſeveral converſations between her and the king at Glaſgow. The king, according to Crawford's teſtimony, we muſt ſuppoſe, minutely

nutely repeated every circumſtance of thoſe very converſations to Crawford, agreeing exactly with what was written by the queen herſelf in her letter to Bothwell: and, laſtly, we muſt again ſuppoſe this Crawford to have been endued with ſo happy a memory, that, at the diſtance of two years, he could recollect every particular in theſe converſations, and give his oath to the truth of them. But, as a help to his memory, and to remove ſuſpicion on that account, Crawford has ſaid, that, to the intent he might report the converſations again to his maſter, Lennox, he immediately wrote the ſame word for word.

It may not improperly be aſked, Why this exactneſs, to write down what he could tell Lennox, who was himſelf at Glaſgow, by word of mouth the next minute? And, for what end did he keep theſe writings by him, after he had told them to Lennox? From inſpiration, or foreſight, no doubt, that ſome years after he would be called upon to repeat over again theſe converſations before queen Elizabeth and her council, to give faith to letters which, at the time that he ſet down his notes, did not exiſt.

Theſe obſervations muſt juſtly render this noted perſon's teſtimony extremely ſuſpicious: but, on the whole, let his evidence be allowed to be ſtrictly true; ſtill, for the reaſons given, it can be no proof that the letters were not ſpurious.

On this article the diſſertator has unfolded a mighty myſtery, in the affair mentioned ſo often by the queen in the firſt letter, concerning Mynto, Hiegait, and Walcar, which the diſſertator is pleaſed to ſay was wholly unknown, till a letter of the queen's, to the archbiſhop of Glaſgow, publiſhed by Keith, diſcovered it to be an affair of importance.

It

It appears, indeed, by the queen's letter to the archbiſhop, that this affair was truly a matter of great importance: but that it was altogether unknown, until diſcovered by a letter publiſhed by Mr. Keith, is directly contrary to the very words of the letter in queſtion. The queen thus writes to the biſhop:

"A ſervant of zouris, William Walcar, came "to our preſens---at Sterveling, and---declarit to "us, how it was---opinly bruited,---that the king, "by the aſſiſtence of ſum of our nobility, ſuld tak "the prince our ſone and crowne him; and, be-"ing crownit, his fader ſuld tak upon him the go-"vernment:----that Walcar being preſſit, he no-"minat William Hiegait, alſwa zour ſervant, for "his chief author.----Quhairupon we tuke occa-"ſion, with diligence, to ſend for Hiegait, quha "being inquirit in our counſell, of his communi-"cation had with Walcar, he denyit, as well "apairt, as being confronted togidder,---onlie he "confeſſit, that he hard of a bruit how the king "ſuld be put in ward."

This letter from the queen is dated the twentieth of January, 1567, a day or two before ſhe is ſaid to have gone to Glaſgow.---Now, as we ſee, this ſtory was openly ſpread abroad, before it had come to the queen's ears; and that ſhe had ordered theſe two men, the ſuppoſed authors, to be examined before her council, of which Murray, Morton, and ſecretary Lethington were members at that time, and therefore muſt have known every circumſtance relating to it: Is it poſſible that this affair, as the diſſertator affirms, could be altogether unknown?

His fourth argument, as to the notes and memorandums in the middle of the firſt letter.

The

The ingenious diſſertator looks upon the following diſcovery as an unanſwerable proof of the genuineneſs of the letters: the queen is made to ſay, "Excuſe that thing that is ſcriblit, I had na paper zeſterday when I wrait that of the memorial." "For lack of paper then," ſays he, "ſhe was obliged to continue her letter on a ſeparate paper, upon which ſhe had written down her notes and memorandums; which is a circumſtance that no forger could poſſibly have thought of."

I own this obſervation is ingenious, and ſhows with what attention the acute diſſertator has ſcrutinized this matter. But, high as my opinion is of this gentleman's penetration, I cannot give him the preference to his friends Murray, Morton, ſecretary Lethington, and Buchanan, whoſe talents for conducting ſo dark an affair could not be exceeded by any perſon.

To make out his argument, therefore, we muſt believe, as the diſſertator tells us, that the above four ſage politicians, who were poſſeſſed of the letters, and knew every circumſtance that is mentioned in them, or relating to them, and ſo recent as within a few months of their ſuppoſed date, were ſo utterly ignorant of their contents, as to make a blunder in explaining their meaning to the commiſſioners at York; which blunder this ingenious gentleman, at the diſtance of two hundred years, has now diſcovered, and ſet to rights. This is rather too much to be granted to him upon a bare conjecture.

The queen is made to refer Bothwell to the bearer of the letter, for compleat information as to ſeveral things which ſhe had not time or intention to write fully of, "Upon this point," ſays ſhe

ſhe, "the bearer will ſhew you many ſmall things." Again, "This bearer will tell you the reſt, and "gif I learn one thing hier, I will make you me-"morial at even."

The letter is made to be written at different times in the ſpace of two days; and, at the concluſion of each night's writing, a few notes are added, which are profeſſedly a recapitulation of the preceding heads of the letter: and, at the end of this letter, the queen is made to ſay, "Excuſe "that thing that is ſcriblit, for I had na paper "zeſterday when I wrait that of the memorial."

It does not ſeem poſſible to apply this to any other memorial, than that of the many ſmall things, concerning which ſhe referred Bothwell to the bearer, to explain to him fully. This is the plain ſenſe of the words themſelves; and in this ſenſe only did Lethington and Buchanan explain them, in their conference with the Engliſh commiſſioners at York. The memorial there meant, "is in the credit," ſay they, "given to Paris the "bearer." Can any thing be more natural than this?" "But," ſays our author, "theſe gen-"tlemen were in a miſtake as to this, and under-"ſtood nothing of the matter;" for now the diſſertator has diſcovered, that this "ſcribblit writ-"ing," called the memorial, was no other than a part of her very letter, on which ſhe had previouſly made ſome jottings, but was now forced to ſcribble her letter upon it, for want of paper.

If that may be ſuppoſed to have been the caſe, all this ſcribbling upon a paper, already blotted with notes and jottings, muſt undoubtedly have appeared upon the face of the letter itſelf: in which caſe, it is impoſſible to ſuppoſe, that Lethington and Buchanan could have miſtaken the ſenſe of this paſſage in the letter. In ſhort, the whole

whole of this new obſervation is mere conjecture and conceit, not only unſupported by any evidence, but in direct contradiction to the expreſs and natural ſenſe of this paſſage, given us by Lethington and Buchanan themſelves; who, after all, will, at leaſt, be allowed to have been more intimately acquainted with the contents, and to have underſtood their meaning, better than even the ingenious diſſertator.

Upon this paſſage of the memorandums, Mr. Hume makes a very ſtrange obſervation: "In this "letter," ſays he, "which ſhe penned late at "night, her paper failed her, and ſhe takes down "a memorandum of what ſhe intended to add next "morning; and it is added accordingly:---A cir-"cumſtance," continues he, "not likely to occur "to a forger."

The reader will be convinced of the weakneſs of the objection by looking into that part of the letter which follows this memorandum, in which there is not one word that has relation to theſe memorandums, except the laſt reſpecting Livingſton. One would think, that this gentleman had fondly adopted the diſſertator's conceit, without giving himſelf the trouble to examine the evidence.

The letter, as it now ſtands, appears to have been the ſubject of two nights writing. At the end of the firſt night, the queen is made to ſay, ſhe is going to bed, "yet I ceaſe not to ſcribble "all the remains of the paper." Then follows a ſhort note of the heads of what ſhe had written.

The night after, when ſhe comes to the very cloſe of the letter, there are added, likewiſe, a few jottings, or memorandums; ſuch as, "Remember "you of the purpoſe of lady Reres, &c. All which is natural.

Now,

Now, if, according to this diſcovery of the diſſertator, ſhe was obliged to write part of the letter upon her paper of notes, which ſhe had kept for jotting down what occurred: by what ſtrange accident came it to paſs, that this paper of notes came to be ſo luckily divided, as that one half of theſe notes falls ſo very a propos, as to make an exact ſummary of the preceeding part of the letter, and no more? After which the letter proceeds to the end, when again a few other notes are as naturally introduced, and with which this letter concludes. From all which it appears evident, that theſe notes were always meant to paſs for what at preſent they appear to be, a part of the letter itſelf.

Such are the proofs, by the external and internal evidence, which the diſſertator has produced, and from which he has concluded that the letters are genuine. That his obſervations are more ingenious than ſolid, has appeared pretty plainly, by a natural explanation drawn from themſelves, and the account given of them by Murray, Lethington, and Buchanan, at the time when the whole affair was recent, and when theſe gentlemen had the original letters themſelves in their hands. Their poſitive authority, therefore, muſt outweigh all modern vague conjectures, however fanciful and ingenious.

There remains ſtill to be conſidered another piece of evidence againſt queen Mary; that is, the confeſſion of Nicholas Hubert, commonly called French Paris, ſervant to the earl of Bothwell, and mentioned by name in the letters, as the bearer of them from the queen to Bothwell. This Hubert is the only perſon who, from his own knowledge, pretended to accuſe the queen. His confeſſion of the tenth of Auguſt, 1569, expreſly

preſly charges her with being privy to the king's murder.

In order to give a diſtinct view, by itſelf, of this teſtimony, it is neceſſary to recapitulate ſome part of the foregoing narrative, which is connected with the ſtory of this Frenchman.

In June, 1537, on the earl of Bothwell's flying from Scotland, Dalgleiſh, Hay, Hepburn, and Powrie, Bothwell's ſervants, were all made priſoners, and publicly tried before the high court of juſticiary at Edinburgh. They were all condemned and executed on their own confeſſions, as acceſſory to the king's murder. None of them accuſed the queen; on the contrary, it is affirmed, that, with their dying breath, they vindicated her from having any part in their crime.

As for this Frenchman Paris, the ſuppoſed confident of the whole intrigue between the queen and Bothwell, he was carried from Edinburgh, the ordinary ſeat of juſtice, to a remote priſon in St. Andrews, the place of reſidence of the earl of Murray, where he lay for above two years, during all the time the conferences were carrying on at York and Weſtminſter.

It muſt be remembred, that Dalgleiſh was the perſon in whoſe cuſtody, the earl of Morton affirmed, the box with the letters had been ſeized: and we have already taken notice of the ſuſpicious conduct of Morton, in declining, when this Dalgleiſh was examined in his own preſence, to queſtion him concerning this fatal box; or to have proved, by the perſons who ſeized him, that the ſame was truly found about him at all: which being recent only ſix days before his examination and confeſſion, muſt have appeared as clear as the ſun at noon day; and, in place of reſting this important event ſolely upon ſo ſandy a foundation as the

the bare word and aſſertion of Morton himſelf, muſt have placed it beyond the power of all cavil to attack. That not a word was aſked this Dalgleiſh concerning the queen's ſilver box with the letters, is certain. His examination is ſtill extant, and ſhows it.

The natural inference from this ſhyneſs or taciturnity, appears to be this; either that Morton and his aſſociates had forgot this important prize, the ſeizure of the letters, altogether; or, that thoſe letters did not exiſt at the time of Dalgleiſh's trial; and, that the whole ſtory of ſeizing the box in the cuſtody of this Dalgleiſh, was invented after his death.

They had ſtill, however, one other witneſs concerning the letters, no leſs than this Paris, mentioned by name in the letters themſelves, as the bearer of them from the queen to Bothwell. Here then was a living witneſs, ready to be produced in public, at a proper time and place.

It may be aſked, for what purpoſe was this Paris kept alive for two years after his fellow ſervants had been publicly tried and hanged at Edinburgh? Why was he carried from Edinburgh, the ordinary ſeat of juſtice, to a lonely priſon in St: Andrews? Was it that the earl of Murray, whoſe principal reſidence was in that place, which was then entirely at his devotion, might be at more liberty to practiſe upon this poor creature; and, by promiſes, or the force of torture, or hunger, try if he could be made a ſteady witneſs in the falſe cauſe?

Though we ſhould even ſuppoſe, that Paris, in the hurry of more weighty buſineſs, might have been totally forgot in his dungeon, by Murray and his friends while in England, yet Murray's

conduct, in relation to what follows, cannot be juſtified.

Queen Mary had publicly accuſed Murray, and aſſerted, in the ſtrongeſt manner, that the letters were forged by him and his faction; and ſhe undertook to prove this from the letters themſelves, which Mary, in the moſt earneſt manner, begged to have inſpection of. This requeſt was denied to her,, and, to cut ſhort the matter, the earl of Murray and his adherents went off in haſte, with their box and letters, to Scotland.

Before their departure, queen Mary complained to queen Elizabeth, for "allowing them to depart "the realm, not abiding to hear the defence of "her innocence, nor the trial and pruif of thair "detectioun, which was offerit to prove them "guilty of the ſamen crime.------To which it was "anſwerit, That the earl of Murray has promiſed "------to return again when he ſould be called "for."

This was on the twelfth of January, 1568-9; and, within ſeven months after this, Paris was hanged by Murray at St. Andrews: viz. in Auguſt that ſame year, 1569.

Now, let any impartial perſon conſider well the conduct of Murray in this matter. He himſelf is publicly accuſed by the queen, as one of the king's murderers: ſhe undertakes to prove the crime againſt him by a fair trial. How does he defend himſelf againſt this ſo public a challenge given him in the face of the world? He denies the charge. but, in the mean time, begs leave to go home. Would innocence have acted in this manner?

Let us follow him, however, into Scotland, and trace his behaviour there, where fortune had been

ſo

ſo favourable, as to throw into his hands the only perſon in the world who, if Murray was truly innocent, and the queen guilty, could have cleared him, and ſatisfied every mortal of her guilt. This perſon was French Paris, who, if Murray and his letters are to be credited, was the confident of the whole intrigue, between the queen and Bothwell, relating to the king's murder.

Could there have happened a more lucky event than this, to a man lying under the load of ſo criminal an accuſation, as that of being an accomplice in the murder of his ſovereign?

Let us now ſee the method Murray took to wipe off this foul aſperſion, and to avoid all ſuſpicion of practiſing, by the force of torture or promiſes, upon a poor, ignorant, friendleſs creature, then in his hands, to mould him to his purpoſe. Did he ſend him to London to be examined before the Engliſh council, as his other witneſſes, Crawford, and Nelſon, had been? Did he even venture to produce him before his own privy-council at Edinburgh, to be interrogated there? Or, laſtly, did he bring him to a public trial, in the ordinary form, before the high court of juſticiary at Edinburgh, as was allowed to Dalgleiſh, and the other ſervants of Borhwell? No!

As to theſe laſt, the experiment had not at all ſucceeded. In ſpite of torture, they had, with their dying breath, declared the truth and acquitted the queen.

This man, Paris, was the laſt card Murray had to play; a new method, therefore, muſt be followed with reſpect to him. He was ſecreted from public view; was carried to an obſcure dungeon in Murray's citadel of St. Andrews; there he was kept hid from all the world, and at laſt condemned by the earl of Murray himſelf, in a manner no

body knows how; and ſeveral months after his death, a confeſſion in his name, taken clandeſtinely without mentioning any perſon who was preſent when it was made by Paris, was privately ſent up to London, (and given in to Cecil, but at what period no body can tell) accuſing the queen in the blackeſt terms, and extolling the earl of Murray to the ſkies: and, to crown the whole, this precious piece of evidence was kept a profound ſecret from the queen and her friends, who, as we ſhall by and by prove, never once ſaw or heard of this confeſſion.

All that remains of this poor creature, are two confeſſions; one on the ninth, and the other on the tenth of Auguſt, 1569. The firſt, ſaid to be the original, and marked on ſome of the leaves with the initial letters of his name, is ſtill extant in the Cotton library. This confeſſion charges Bothwell with the murder, but mentions nothing of the queen or her letters.

The other confeſſion, of the tenth of Auguſt, expreſly charges the queen as acceſſory to the whole. Of this laſt we have a copy, atteſted by one Alexander Hay, a notary, and clerk to Murray's privy-council; and which we ſee, by an authentic paper, was ſent to London by Murray in October, 1569, as a further proof of his accuſation againſt the queen, after all the conferences were over.

That theſe confeſſions were kept ſecret, and never ſhown to Mary, is evident from the following circumſtances.

The only cotemporary writers, who mention the condemnation and death of this Frenchman, are Leſly, biſhop of Roſs, and the author of the manuſcript hiſtory of Scotland, during the reign of queen Mary, and the four regents, Murray, Lennox,

nox, Mar, and Morton, publiſhed by Crawford, hiſtorigrapher to queen Anne.

This laſt author, who was at that time a living witneſs, mentions the condemnation of Paris in theſe words: "The regent (Murray) proceeded "from Stirling to St. Andrews, where Nicknavin "for ſorcery was burnt; and Paris, a Frenchman, "was hanged for the murder of the late king, "though he denied the fact."

The other cotemporary author who mentions this Frenchman, is Leſly, biſhop of Roſs, one of Mary's commiſſioners, and at that time in the character of her embaſſador at London. He drew up an apology, entitled, "A Defence of the Ho-"nour of Queen Mary," which was printed at "London in the end of the year 1569, ſoon after the execution of Paris.

The biſhop, in mentioning this man, uſes the following words: "As for him that ye ſurmiſe was "the bearer of the letters, and whome ye have "executed of late for the ſaid murther, he, at the "time of his ſaid execution, toeke it upon his "death, as he ſhould anſwere before God, that he "never carried any ſuch letters, nor that the queene "was participant, nor of counſale in the cauſe."

From the words, "the perſon whom ye ſurmiſe "was the bearer," it is plain, that neither the queen nor Leſly had either ſeen or heard of this confeſſion of Paris, which is made to acknowledge this fact, of his being the bearer of the letters, in expreſs terms: and the above paſſage from Crawford, fully explains the good reaſon that Murray then had for keeping this pretended confeſſion of Paris a profound ſecret to all, except his own confederates and ſecretary Cecil; viz. becauſe it was at this time univerſally known, by every body in

Scotland, that this very Paris, at his execution, had publicly given the lie to any pretended confeſſion, by ſolemnly denying the fact.

Here then, we ſee, are the evidences that directly contradict one another; viz. Leſly, and the author of Crawford's hiſtory, who were both living witneſſes at the ſame time, on the one ſide, and this pretended confeſſion of Hubert on the other. If either of theſe teſtimonies be true, the oppoſite, of conſequence, muſt be falſe. Let us endeavour, by external circumſtances, to find out on which ſide the truth ſtands.

To begin with the biſhop of Roſs: and, in order to aſcertain the proper degree of credit to be given to his public aſſertion of the above fact, it may not be improper to give a ſhort ſketch of his character, from a letter of queen Elizabeth to queen Mary, on the twenty-firſt day of December, 1568. After mentioning Mary's other commiſſioners, "We cannot," ſays ſhe, "but ſpecially "note to you, your good choice of the biſhoppe "of Roſſe, who hath not only faithfully and wiſely, "but alſo carefully and dutifully, for your honour "and weale, behaved himſelf, and that both pri-"vatly and publickly, as we cannot but in this "ſort commend him unto yow, as we wiſh yow "had many ſuch devoted diſcrete ſervants; for, "in our judgment, we think we have not any in "loyaltie and faithfulneſs can overmatch him: "and this we are the bolder to wryte, conſidering "we take it the beſt trial of a good ſervant to be in "adverſitie, out of which we hartely wiſh yow "to be delivered, by the juſtification of your in-"nocency."

The biſhop, and Crawford's account of Paris's dying words, it may be ſaid are no more than their aſſertions.

aſſertions. They ſay it, indeed, not in a whiſper, but as a thing well known in Scotland at the time of Paris's execution; and Leſly proclaims and publiſhes it to the world in print, recently, after Paris's death. This was giving an opportunity to the queen's accuſers, to have as publicly contradicted this ſtory, if it was falſe, by immediately expoſing Paris's confeſſion, which was in their hands; and ſupporting its authority, by naming the perſons who were preſent at his examination.

Let us turn now to the other ſide, and obſerve the part which Murray and his confederates acted upon this occaſion.

Queen Mary's embaſſador thus affirming, in the face of the world, that this man, Paris, had, with his dying breath, and in the moſt ſolemn manner, aſſerted her innocence, was ſurely a challenge to her accuſers to have refuted the aſſertion, by producing Paris's confeſſion, if genuine, and fit to bear the light. They did not, however; and the only anſwer made to this vindication of queen Mary, was an order from queen Elizabeth to ſuppreſs the book altogether, on pretence of its containing ſome dangerous points, with regard to Mary's title to the crown of England. A ſecond edition was, however, ſoon after publiſhed of the queen's defence, at Liege, in the year 1571.

In anſwer to this it may be ſaid, that, by ſuppreſſing this defence of the queen, Murray and Morton had no opportunity to ſee this aſſertion with regard to Paris. This, however, can ſcarce be ſuppoſed. The book was printed, and copies of that very firſt edition are ſtill extant.

The order for ſuppreſſing it was from Elizabeth, and conſequently the book muſt have been in her hands, and in the hands of her miniſters. Murray and Morton had always a miniſter at London to

negotiate their affairs at that court; and, by an authentic paper ſtill extant in the Cotton library, we ſee, that, in October, 1569, Macgill, abbot of Dumfermling, was ſent up to London, as miniſter from the earl of Murray, and carried up with him this pretended confeſſion of Paris. Nay, the earl of Morton himſelf, as commiſſioner appointed by the Scotch regent Lennox, for managing a new treaty with queen Elizabeth, to depoſe Mary altogether, was himſelf at London in the begining of the year 1571; at which time it cannot be doubted, that both theſe miniſters muſt have ſeen this defence of queen Mary.

What poſſible reaſon then can be aſſigned for this reſervedneſs, this determined ſilence of Murray and Morton, with reſpect to this aſſertion of the biſhop, as to Paris's dying teſtimony of queen Mary's innocence, when they could at once have quelled it, by publiſhing the genuine confeſſion, ſaid to have been made by Paris himſelf, which they then had in their pocket?

Two reaſons, very different indeed from each other, may be imagined: either that this confeſſion of Paris, in Morton's cuſtody, was not fit to bear the light: or, that ſome ſmall regard for Mary's fame made them conceal it from her. That this laſt was not the caſe, will appear from what follows.

In this very year, 1571, Buchanan publiſhed his famous work, entitled, "A Detection of the Do-"ings of queen Mary;" a work which proves him guilty of the higheſt ingratitude.

In this libel againſt the queen, publiſhed both in the Latin and in the Scotch language, nothing is omitted that could ſerve to blacken her. The whole intrigue between her and Bothwell, her amours in France as well as Scotland, repeated attempts

tempts to poiſon the king, and his actual murder at laſt by her contrivance: all, in ſhort, that malice or calumny could invent to render her odious, is therein ſet forth: and, as a voucher or proof of the whole, the famous letters by her to Bothwell are printed at full length. Nay, that nothing might be neglected to give full credit to this book, the pretended confeſſions of Dalgleiſh, Powrie, Hay, and Hepburn, Bothwell's other ſervants, are printed along with it; and yet this important confeſſion of Paris, though later in date, and more to their purpoſe, is omitted.

That ſo precious a piece of ſcandal might not be confined to Scotland, this book, with the letters, was, at the very ſame time, printed at London, and diſperſed all over the kingdom. But what is more ſurpriſing, although Paris is often mentioned therein, as the confident of the whole ſcene bebetween the queen and Bothwell, with reſpect to the king's murder; and, that biſhop Leſly, in his printed apology for queen Mary, had affirmed, in the face of the world, as a fact univerſally known, that Paris, at his execution, had publicly aſſerted the queen's innoceuce; although the letters give only ſome ſuſpicious and dark hints, from which the queen's knowledge of the murder is inferred; whereas Paris's confeſſion of the tenth of Auguſt, 1569, expreſly charges her as the contriver of it, and is the only evidence that does ſo; yet in Buchanan's book there is not the leaſt mention made of any ſuch confeſſion.

Buchanan lived many years after this; his Detection went through ſeveral editions; nay, he wrote his hiſtory at large, which was not publiſhed for ſeveral years after this period; and, although he there again makes mention both of Paris and the letters, yet not one word is ſaid of any ſuch con-

confeſſion made by this perſon, to the prejudice of the queen.

We have already ſaid, that a copy of this confeſſion of Paris againſt the queen, atteſted by Alexander Hay, is extant.

This Hay appears to have been Murray's active inſtrument in the tranſactions of thoſe times, and, by degrees, he arrived to be clerk to his ſecret council. Here we ſee him atteſting a copy of this confeſſion of Hubert's, without witneſſes, and upon his ſingle aſſertion only.

We have extant a very curious letter of the ſame Hay to John Knox, which is dated the fourteenth day of December, 1571; wherein he thus writes: "They have ſet out in Ingland our queen's lyfe "and proceſs, baith in Latin and Iugliſh, quhairin "is continit the diſcourſe of hir tragical doingis; "the proceſs of the erle Bothwell's clenging, hir "ſonnettis and letteris to him, the depoſitiounis of "the perſounis execute, and toe cartellis efter the "the king's murthour.---In appeirance thay leive "naithing unſet out tending to hir infamie."

This ſame Hay, we ſee, had atteſted the copy of Paris's confeſſion on the tenth of Auguſt, 1569, which was ſent to London that year; and yet, in this letter wrote to his friend John Knox, though he knew well that his own copy of this confeſſion, was in the hands of the very ſame people who had publiſhed the above ſcandalous collection againſt the queen; yet, ſo well does he know, from the very nature of his own manufacture, that this confeſſion of Hubert's durſt not be expoſed to light; and, ſo far from enumerating that piece among the above collection, he ſinks it altogether, as if no ſuch paper had exiſted. He tells his friend, that the above collection contained every thing that could tend to the queen's infamy, when at the ſame

time

time he knew well, that the blackeſt piece of all, which he himſelf had furniſhed them, was omitted. From all which circumſtances, the violent preſumptions that ariſe from their carrying this poor ignorant ſtranger from Edinburgh, the ordinary ſeat of juſtice; their keeping him hid from all the world, in a remote dungeon, and their not producing him with their other evidences, ſo as he might have been publicly interrogated; the poſitive and direct teſtimony of the author of Crawford's manuſcript, then living, and on the ſpot at the time, with the public affirmation of the biſhop of Roſs at the time of Paris's death, that he had vindicated the queen with his dying breath; the behaviour of Murray, Morton, Buchanan, and even of Hay, the atteſter of this pretended confeſſion, on that occaſion; their cloſe and reſerved ſilence, at the time when they muſt have had this confeſſion of Paris in their pocket; and their publiſhing every other circumſtance that could tend to blacken the queen, and yet omitting this confeſſion, the only direct evidence of her ſuppoſed guilt; all this duly and diſpaſſionately conſidered, one may ſafely conclude, that it was judged not fit to expoſe ſo ſoon to light this piece of evidence againſt the queen; which a cloud of witneſſes, living, and preſent at Paris's execution, would ſurely have given clear teſtimony againſt, as a notorious impoſture.

Thus far the external evidence makes againſt this pretended confeſſion of Paris. We ſhall next examine the internal texture and conſtruction of it, as it now appears to us, in order to ſatisfy the reader's curioſity.

Paris ſays, "That the firſt time that he entered "into truſt or credit with the queen, was at Ka-"lender in her road to Glaſgow, where ſhe gave

" him a purſe of three or four hundred crowns to " deliver to the earl of Bothwell."

Here it may be aſked, why did ſhe not give it to Bothwell himſelf, who was at Kalender with the queen, as Paris ſays afterwards in this confeſſion?

2. That, two or three days after, he had got ſo much into the queen's confidence, that, when ſhe ſent him from Glaſgow, with the firſt letter to Bothwell, ſhe deſired him, by word of mouth, to tell Bothwell, " That the king deſired to kiſs her, " but that ſhe refuſed him, for fear of his malady, " as lady Reres would teſtify." And further, ſays ſhe, " Tell Bothwell, that I wont go near the " king, unleſs in company with Reres, who ſhall " ſee all I do."

" 3. That as he, Paris, was dreſſing, or put- " ting in order, the queen's bed in her chamber, " which was directly under the king's chamber, " as Bothwell had commanded, &c." A very decent office, truly, this fellow had got into about the queen's perſon.

" 4. That he took the liberty to ſay to the " queen, Madam, monſieur Bothwell hath com- " manded me to bring to him the keys of your " chamber, as he wants to do ſomething there; " that is, to make the king fly in the air with " powder.

" 5. That Bothwell told him, that lady Reres " walked out every night, very late, in queſt of " him, to conduct him to the queen's bed-cham- " ber; and that he was preſent when lady Reres " came on this errand."

Such is the groſſneſs, and ſuch the abſurdities, to be found in every part of this confeſſion.

The

The juſt remark made by the diſſertator, that the eagerneſs of forgers generally makes them detect themſelves, by overcharging their work, is verified to the full extent, by applying it to this piece. Their caution, in not making the queen, in her letters, ſpeak ſuch plain language as this perſon does, was wiſe. Here they forget themſelves, by putting the groſſeſt words in his mouth. His character, they knew, was low enough to bear it; and they were reſolved to make him ſpeak out, ſo as to leave no doubt of the queen's infamy, as a proſtitute! and a murdereſs!

Having thus examined the external and internal appearance of this notable piece, it is proper to ſhew what arguments have been uſed on the other ſide, in ſupport of Paris's confeſſion againſt the queen, which we ſhall give in the diſſertator's own words.

" This perſon (ſays he) was twice examined, and " the original of one of his depoſitions, and a " copy of the other, are ſtill extant. It is pre- " tended they are both forgeries. But they are " remarkable for a ſimplicity, and naiveté, which " it is almoſt impoſſible to imitate: they abound " with a number of minute facts and particula- " rities, which the moſt dextrous forger could not " have eaſily aſſembled and connected together, " with any appearance of probability; and they " are filled with circumſtances, which can ſcarce " be ſuppoſed to have entered the imagination of " any man, but one of Paris's profeſſion and cha- " racter. But, at the ſame time, it muſt be ac- " knowledged, that his depoſitions contain ſome " improbable circumſtances. He ſeems to have " been a fooliſh talkative fellow; the fear of death; " the violence of torture; and the deſire of pleaſ- " ing thoſe in whoſe power he was, tempted him, " perhaps,

" perhaps, to feign ſome circumſtances, and to " exaggerate others. To ſay, that ſome circum- " ſtances in an affidavit are improbable or falſe, " is very different from ſaying that the whole is " forged. I ſuſpect the former to be the caſe " here, but I ſee no appearance of the latter."

In anſwer to this we muſt obſerve, that it has been always judged an unlucky circumſtance in any perſon's teſtimony, that any particular part of it is found to be inconſiſtent with truth: the ſmalleſt deviation in that point, never fails to render the whole ſuſpicious. In the preſent caſe, when the ſeveral objections, ariſing from the external view of the teſtimony, are taken into conſideration, the above rule of judging muſt acquire double force.

Nor does the reaſon aſſigned by the diſſertator, for Paris's interlarding truth with improbabilities, viz. " Becauſe he meant thereby to pleaſe the " party," appear in the leaſt ſatisfactory. If this reaſon is good for any thing, it proves too much. If Paris had a view to pleaſe them, by telling falſhoods, that ſurely might have tempted him to accuſe the queen falſely, as the moſt acceptable thing he could do for them: and, if we are to believe that this was the humour and deſign of the man, we muſt certainly believe, that the whole of his narrative againſt the queen is falſe, from beginning to end.

Here might we reſt the matter againſt the diſſertor; but, if we are to judge of this confeſſion, from the abſurd and improbable circumſtances that are contained in it, we can ſcarce believe, that this creature, Paris himſelf, could have been the author of this narration. For, although he might have been tempted by the hopes of life, to accuſe the queen falſely, yet what reaſon can be aſſigned

aſſigned for his making a jeſt of the moſt horrid circumſtance of the king's murder, that Bothwell and he were to make the king to bounce in the air with powder, " De faire ſauter le roy en l'air?" What could ſo horrid a tale tend to, but his own deſtruction? Was not this pointing himſelf out as a wretch, as deſerving the moſt cruel puniſhment, without the leaſt compaſſion?

The diſſertator ſays further, " That Paris's " confeſſions are remarkable for their ſimplicity " and naiveté." How can that be, ſince the diſſertator himſelf owns him to have been a fooliſh talkative fellow? And they abound, continues he, with a number of minute facts and circumſtances, which could ſcarce have entered the imagination of any other man.

It cannot be denied, that many of theſe facts might really have been true. They do not affect the queen, and might have poſſibly been told by Paris. But that can no ways be an argument, that the confeſſions, as given out in his name ſeveral months after his death, are genuine. For, as we have already obſerved, the plan of every forger, in ſuch a caſe, muſt always be to ground his work upon ſome certain facts that all the world know to be true, and to interlard theſe truths with falſhoods.

Let us further examine the authenticity of this confeſſion of the tenth of Auguſt.

The title it bears is in theſe words:

" A Sanctandre, le 10 jour d'Eouſt, 1569. Ni- " cholas Howbert dict Paris, a eſte interrogue ſur " les articles & demands qui s' enſuivent, &c. & " premierement."

Then follow the queſtions that are put to him, with his anſwers, all in French; but, by what perſon, or what authority, he was thus queſtioned

and

and examined, does not appear. From which it is evident, that that examination and confeſſion was not judicial. And, what is moſt ſurpriſing, it does not mention any perſon whatever that was preſent when it was taken. What can we think of ſo lame a piece of evidence? This examination could not have been made at Paris's trial, otherwiſe it muſt have expreſly ſaid ſo; likewiſe it muſt have mentioned the court of juſtice, and the judge, in whoſe preſence, and by whoſe authority it was taken.

Let us next compare this examination with the judicial examinations and confeſſions of Dalgleiſh, Hay, Hepburn, &c. taken before the high court of juſticiary at Edinburgh; we evidently ſee there, the difference betwixt a judicial teſtimony, and this of Paris's, taken in a clandeſtine manner, without the authority of a judge, and by no body knows whom.

Dalgleiſh's examination begins thus: "Apud "Edinburgum 26 Junii, an. dom. 1567. præſen-"tibus comitibus de Mortoun & Athol, præpo-"ſito de Dundee, & domino de Grange."

John Hay's examination begins thus: "Apud "Edinburgum 13 die menſis Septembris, an. "dom. 1567, in preſence of my lord regent, the "erles of Morton and Athol, the lairds of Loch-"levin, and Petarow, Mr. James Macgill, and the "juſtice clerk."

And, at the end of theſe depoſitions, is the atteſtation and ſubſcription at large, of ſir John Ballendan, lord juſtice clerk, imploring, that the principal depoſitions were in the records of the books of the high court of juſticiary.

What marks then of authenticity are about this paper of Paris? Not the ſmalleſt, as far as can be ſeen at this day, excepting the ſingle aſſertion of Hay,

Hay, Murray's clerk, who, as a notary, atteſts this paper to be a true copy of an original, ſigned or marked by Paris himſelf, and read to him. All the world knows, that a copy of any paper, atteſted by a notary, requires the ſolemnity of two reputable witneſſes to give faith to the notary's atteſtation.

To this paper, however, though of the greateſt importance, there are no witneſſes. The whole then depends entirely upon the naked aſſertion of this noted clerk of Murray alone, contradicted, in the moſt public manner, by all the world, and even tacitly diſavowed by himſelf.

Before we conclude, we muſt again beg leave to take notice of Mr. Hume's arguments in ſupport of this noted piece of evidence of Paris: "It "is in vain (ſays he) at preſent to ſeek for impro- "babilities in Nicholas Hubert's dying confeſ- "ſion, and to magnify the ſmalleſt difficulties in- "to a contradiction. It was certainly a regular "judicial paper, given in regularly and judicially, "and ought to have been canvaſſed at the time, "if the perſons, whom it concerned, had been "aſſured of their innocence."

Here we ſee a ſhort, but very poſitive deciſion, againſt all and every objection that poſſibly can be brought againſt Paris's confeſſion. But, upon what does this author ground his opinion? Upon two very plain reaſons, 1. That the confeſſion was a judicial one, that is, taken in preſence, or by authority of a judge. And, 2. That it was regularly and judicially given in; that muſt be underſtood during the time of the conferences before queen Elizabeth and her council, in preſence of Mary's commiſſioners; at which time ſhe ought to have canvaſſed it, ſays our author, if ſhe knew her innocence.

That it was not a judicial confeſſion, is evident: the paper itſelf does not bear any ſuch mark; nor does it mention that it was taken in preſence of any perſon, or by any authority whatſoever; and, by comparing it with the judicial examinations of Dalgleiſh, Hay, and Hepburn, in p. 146, it is apparent, that it is deſtitute of every formality requiſite in a judicial evidence. In what dark corner, then, this ſtrange production was generated, our author may endeavour to find out, if he can.

As to his ſecond aſſertion, that it was regularly and judicially given in, and therefore ought to have been canvaſſed by Mary during the conferences. We have already ſeen that this likewiſe is not fact: the conferences ended in February, 1569: Nicholas Hubert was not hanged till Auguſt after, and his dying confeſſion, as Mr. Hume calls it, is only dated the tenth of that month. How then can this gentleman take upon him to aſſert, that this confeſſion was judicially given in, and ought to have been at that very time canvaſſed by queen Mary and her commiſſioners?

In anſwer then to Mr. Hume: as the queen's accuſers did not chuſe to produce this material witneſs, Paris, whom they had alive, and in their hands, nor any declaration or confeſſion from him at the critical and proper time for having it canvaſſed by the queen, it is apprehended our author's concluſion may fairly be uſed againſt himſelf: That it is in vain at preſent to ſupport the improbabilities and abſurdities in a confeſſion, taken in a clandeſtine way, no body knows how; and produced after Paris's death, by no body knows whom; and, from every appearance, deſtitute of every formality requiſite and common to ſuch ſort of evidence.

The

The learned and judicious Bayle has made a very juſt obſervation on the caſe of queen Mary and her adverſaries: "One of two things (ſays that "author) muſt have been the caſe; either, that "they who forced that princeſs out of her king-"dom, were the greateſt villains in nature; or, "that ſhe was the moſt infamous of women. "Theſe are two ſcales of a balance, equally poiſed; "you cannot load the one without lightening the "other preciſely to the ſame degree: in the ſame "manner, whatever ſerves to acquit the queen, "aggravates her enemies in the ſame proportion; "and, whatever ſerves to load the queen, exte-"nuates their crime in a like degree."

Here then we have a juſt balance, in which the caſe of Mary and her accuſers may with certainty be weighed, and by this ſtandard judged and determined with great exactneſs.

The weights to be put in the ſcales, are the proofs which were exhibited by the earls of Murray and Morton, of the crimes they charged their queen with, which are likewiſe to be conſidered as the proofs of their own juſtification for riſing in arms againſt their ſovereign; for impriſoning her; and, finally, for the long train of her calamities and her death; all conſequent to their rebellion.

The ſcales being now fairly loaded, and the balance exactly poiſed, let us carefully examine the weights before we pretend to abſtract one grain from the ſcales. One ſcruple taken from either of them, muſt deſtroy the equilibrium. If then we take out the heavieſt weight, and put it in the oppoſite ſcale, that directly preponderates, the other flies up.

We ſhall therefore begin with examining the heavieſt weight, in the ſcale againſt the queen,

that is, her letters to Bothwell: and, to avoid all imputation of partiality, let us try them according to the rules of equity, as in a court of juſtice, by hearing both ſides. We begin with the accuſers.

1. The earl of Morton at firſt produced thoſe letters, and affirmed, on his word of honour, that his ſervants ſeized them in the cuſtody of George Dalgleiſh, one of Bothwell's ſervants, who had brought them out of the caſtle of Edinburgh.

2. The earls of Murray and Morton affirm, on their honour, that they are the hand-writing of the queen, both in their own ſecret council, and in the regent's parliament in Scotland, and before queen Elizabeth and her council in England.

3. They are produced at York and Weſtminſter, to the Engliſh council, and compared with other letters of Mary's hand-writing, and appear to be ſimilar to them.

4. And laſtly, ſeveral of the incidents mentioned in the letters themſelves; ſuch as the converſations between the king and the queen at Glaſgow, are, by Crawford, one of the earl of Lennox's vaſſals, affirmed, upon oath, to be true.

Such are the proofs brought in ſupport of the letters. Let us now turn to the other ſide, and hear what are the anſwers, and the objections made to them on the part of queen Mary.

1. Queen Mary denies the letters to be her hand-writing, and aſſerts them to be forged by her accuſers, Murray, Morton, and Lethington, and offers to prove this.

2. Mor-

2. Morton's bare affirmation of the way in which the letters came into his hands, as he is a party, can never in equity be regarded. Nay, the letters appearing firſt in his hands, was of itſelf ſuſpicious: beſides, his ſuppreſſing the evidence of Dalgleiſh, or forbearing to interrogate him judicially, how he came by theſe letters, which would have put this affair in a true light; and his neglecting to examine his own ſervants publicly, who ſeized Dalgleiſh with the box, as to what they knew of that affair: and, in place of the legal declaration of thoſe, who were the only proper witneſſes to prove this fact, obtruding his own affirmation only. Theſe omiſſions double the ſuſpicion, that he himſelf, and his faction, were the contrivers of the letters.

3. The affirmation of Murray and Morton on the authenticity of the letters, both in Scotland and England, can bear no greater degree of credit than queen Mary's denial, and the affirmation of herſelf, and moſt of the nobility of Scotland, that thoſe letters were forged.

4. The ſimilarity of one hand-writing to another, is ſuch a proof as no man can be certain of: far leſs in the caſe of theſe letters, appearing in ſo clandeſtine a way in the hands of Morton, the queen's inveterate enemy and accuſer. Add to this, what is affirmed by Mary, that her enemies had often counterfeited letters in her name; which is corroborated by a contemporary author, who relates it as a well-known fact, that Lethington, her ſecretary, had often practiſed this vile fraud.

5. That ſeveral of the incidents mentioned in the letters might be very true, is not denied. The plan of the forgers was ſurely to interlard truth with falſhood. Crawford's teſtimony, on

the truth of ſeveral of the incidents mentioned in the letters, might therefore be true, and yet the letters themſelves might be forged.

But the objections to the letters on the part of the queen, are of a different nature.

1. The letters, as exhibited by Murray and Morton, wanted the dates, place from which they were written, the ſubſcriptions, ſeals, and addreſſes. Could any judge or jury then, have admitted theſe letters as authentic, and as written by queen Mary to the earl of Bothwell, upon the bare word of her accuſer?

2. The only proof they could have brought to ſupport their affirmation, was by the oath of Hubert, that he got the letters from the queen's own hand, and delivered them to Bothwell: and by Dalgleiſh, that he found them in the earl's repoſitory in the caſtle of Edinburgh, and was carrying them to him. It is impoſſible, therefore, to frame any plauſible reaſon, why theſe two perſons were not called upon to prove theſe facts, but this only, that there was not a word of truth in the ſtory.

3. The letters are produced in public, under different dreſſes. Before the ſecret council, they bear to be ſubſcribed by the queen's hand: in their ſecond appearance, before regent Murray's parliament, they want the ſubſcription altogether. This is proved by the acts of council, and of parliament in the regiſters.

4. While the conferences were going on at York, the letters were privately, and in ſecret conference, ſhown by Lethington and Buchanan, to the Engliſh commiſſioners, but carefully concealed

cealed and kept hid from queen Mary and her commiſſioners.

5. The queen, on the firſt hearing of thoſe letters, earneſtly ſupplicates to have inſpection of the originals, and to be allowed copies; from which ſhe offers to prove them to be forged and ſpurious. Both requeſts are refuſed to her, the letters are delivered back to her accuſers, and, to her dying day, ſhe never could get a ſight of theſe originals, or atteſted copies of them.

6. The letters, of which copies only are now extant, are, to a demonſtration, proved, and forced to be acknowledged, even by the writers againſt the queen, to be palpable tranſlations from the Scotch and Latin of George Buchanan.

Such are the proofs on both ſides for and againſt the authenticity of the letters. Let us now put the queſtion to any impartial perſon, who underſtands the nature of evidence: would thoſe letters, found in the cuſtody of Morton, deſtitute of ſubſcription, ſeal, and addreſs, and in the face of ſo many other unſurmountable objections, have been ſuſtained as genuine authentic writings, in any court of law or juſtice, upon the bare appearance, or ſimilarity of the queen's hand-writing, and the naked word of Murray and Morton the accuſers?

The caſe then ſeems to be determined at once, the ſcale is turned in favour of the queen. But ſtill there remains another weight againſt her, that is, Hubert's confeſſion: this we have ſo recently proved to be a forgery, that it is needleſs here to recapitulate the objections to a piece of manufactory abounding with ſo many abſurdities and improbabilities, (as Dr. Robertſon acknowledges)

and altogether deſtitute of every eſſential requiſite to a judicial paper. If this weight is taken from Murray and Morton's ſcale, and put to the queen's, what then remains in the oppoſite? Nothing but conjectures, arguments à priori, and inferences drawn from falſe premiſes, all as light as air! The queen's ſcale, then, preponderates; that of her adverſaries flies up, and kicks the beam.

Having examined the evidences that were produced by the earls of Murray and Morton, and ſecretary Lethington, for proving queen Mary guilty of the crimes with which that confederacy accuſed her; many arguments have offered to prove, that theſe evidences, ſo far from being ſufficient to make out the accuſation, were themſelves falſe and forged. This, if ſatisfactorily executed, according to the judgment of monſieur Bayle (a judge, who has ſhewn himſelf, by his writings, no ways prejudiced in favour of Mary) ſhould determine the queſtion, not only that the queen is innocent, but moreover, that her accuſers themſelves muſt be guilty.

Plain however, as this conſequence is, let us, to pleaſe the curious, go a ſtep further, and try, if it is poſſible, even at this day, by direct evidence, to trace the footſteps of any of thoſe dark, daring, and ſubtle geniuſes, in the bloody ſcene of Darnley's death, through the thick cloud in which they have wrapt themſelves.

The queen's accuſation againſt her baſtard brother the earl of Murray, and his confederates, was, in general, "That they themſelves were the in-"venters, conſpirators, and ſome of them the ex-"ecutors of the murder of the king."

The following two points, which, it is apprehended,

hended, both naturally reſult from the queen's accuſation, will, it is hoped, be readily granted.

1. That, if the queen had made good this accuſation, and proved, that the accuſers themſelves, Murray, Morton, and Lethington, had been in the conſpiracy and execution of the king's murder: in that caſe, ſhe herſelf could not have been in that confederacy, or guilty of the murder. This appears to be conſiſtent with common ſenſe and reaſon.

2. It is apprehended, that it will be granted with the ſame readineſs, that, as this triumvirate, Murray, Morton, and Lethington, had been from the beginning, equally embarked in the ſame cauſe, as they had, with one voice, publicly accuſed their ſovereign of the above crimes, and pretended to bring proof of their accuſation; and as they had, by that means, deprived her of her crown, and poſſeſſed themſelves of the government of her kingdom: if, the queen could have proved, that theſe joint accuſers, or any of them, had themſelves been the authors or contrivers of the king's death, in that caſe the whole triumvirate, as partakers in the crime, muſt one and all of them be deemed guilty, as acceſſories to the murder.

Theſe two points being allowed, let us now turn to the other ſide, and hear what defence Murray and his aſſociates have made for themſelves, and what has been ſaid for them by the writers upon their ſide, in anſwer to the queen's accuſation.

The anſwer made by Murray and his aſſociates to the queen's accuſation, was in theſe general terms:

terms: "That they deny they were culpable "thereof."

Mr. Hume argues thus in their defence againſt the above accuſation: "the queen's accuſation "coming ſo late, can only be regarded as an angry "retaliation upon her enemy: unleſs (adds he "we take this angry accuſation of Mary's to "be an argument of Murray's guilt, there re-"mains not the leaſt preſumption, which ſhould "lead us to ſuſpect him to have been an accom-"plice in the crime. --- Murray could have had "no motives to commit that crime, the king's "murder indeed procured him the regency, but "much more queen Mary's ill conduct, which he "could not foreſee."

The diſſertator argues thus on the ſame ſide: "Murray, on the queen's return to Scotland, "ſerved her with great fidelity, and, by his pru-"dent adminiſtration, rendered her ſo popular, "and ſo powerful, as enabled her, with eaſe, to "cruſh a formidable inſurrection raiſed by himſelf "in the year 1565. What motive could induce "Murray to murder a prince, without capacity, "without followers, without influence? It is "difficult to conceive what Murray had to fear "from the king's life. It is no eaſy matter to "gueſs what he could gain by his death.

"If Murray had inſtigated Bothwell to com-"mit the crime, or had himſelf been acceſſory "to it, what hopes was there that Bothwell "would ſilently bear, from a fellow criminal, all "the perſecutions which he ſuffered, without re-"torting upon him the accuſation, or revealing "the whole ſcene of iniquity? Or, is it probable, "that Murray would firſt raiſe Bothwell to ſu-"preme power, in hopes that afterwards he "might cruſh him."

Such

Such is the anſwer, ſuch the defence made by the writers on Murray's ſide of the queſtion, to the queen's general accuſation of him and his aſſociates.

We are here amuſed with fine ſpun arguments à priori, endeavouring to overturn facts by inferences, from the unreaſonableneſs of the motives productive of theſe facts. Were the certainty of events to be determined only by an induction of probable cauſes, all hiſtorical faith would be greatly ſhaken, we muſt doubt of every thing that does not fall under the direct conviction of our own eyes. Dr. Robertſon aſks, What motive could induce Murray to murder Darnley? His friend Mr. Hume ſhall anſwer him, "It was to "procure himſelf the regency. But, after all, this ſort of reaſoning, by inference, cannot take place here. It is by direct evidence, that we are to endeavour to prove the queen's accuſation againſt Murray and his confederates, Morton and Lethington; and in the ſame way only, muſt the advocates for them be allowed to make their defence. We ſhall therefore proceed:

But, previous to our entering upon this matter, it is of conſequence to take notice of the ſophiſtry, that has been uſed by the advocates on the oppoſite ſide to impoſe upon the public, by a vindication of the earl of Murray only. He is ſubſtituted in place of the whole party, as if the queen's accuſation had been confined to him alone. He indeed (who is ſaid to have been the head and director of the whole) ſeems to have taken very great care to ſcreen himſelf from public view, while Morton and ſecretary Lethington, his two inſtruments, acted more boldly, and with leſs caution. By this piece of ſlight, the contriver and mover of the whole machine kept himſelf

ſelf hid, as he imagined, behind the curtain, ſecure in his artifices, and now boldly ſteps forth, while his under-actors make their retreat; and, by his interpoſition, ſeem to elude the ſearch.

By this piece of ſophiſtry, the partizans of the queen have been impoſed upon; in purſuing Murray, they let his two inſtruments Morton and Lethington eſcape; we propoſe therefore to direct our enquiry into the particular conduct of each of the triumvirate; and, at the ſame time, endeavour to diſcover the chain which united this confederacy againſt the queen, during her whole reign. So that, by judging of each ſeparately, or connecting the whole together, the reader, in one view, may determine for himſelf: and, on this plan, we propoſe to give a fair detail of facts, with the authorities from which we take them, ſo that the public may the better judge of their weight.

Before the queen's arrival from France, which was on the twenty-ſecond of Auguſt, 1561, queen Elizabeth had taken care to have a miniſter at Edinburgh; this was the noted Mr. Randolph, who, upon pretence of bearing Elizabeth's compliments of congratulation, continued about queen Mary's court as a ſpy, giving the moſt minute intelligence of every thing done there, to his miſtreſs Elizabeth and her prime-miniſter Cecil, and countenancing and encouraging every cabal formed to diſturb Mary's government. Of all this, Randolph's own letters, ſtill extant, are a full demonſtration.

It appears, that he had very ſoon cultivated a good underſtanding with the moſt fit perſons for his purpoſe; ſuch as the famous John Knox, one of the chief of the reformed preachers, and particularly with the triumvirate, Murray, Morton, and Lethington.

In

In a letter to Cecil, the ninth of Auguſt, 1561, a fortnight before Mary's arrival in Scotland, he thus writes:

"I have ſhewn your honour's letter unto the "lord James, (i. e. Murray) lord Morton, and "Lethington; they wiſh, as your honour doth, "that ſhe (Mary) might be ſtayed yet for a ſpace, "and, if it were not for their obedience ſake, "ſome of them care not though they never ſaw "her face. --- They have need to look unto themſelves, for their hazard is great, and they ſee "there is no remedy nor ſafety for themſelves, but "to repoſe upon the queen's (Elizabeth's) majeſty's "favour and ſupport. They are in mind ſhortly "to try what they may be aſſured at, of the "queen's majeſty, and what they may aſſuredly "perform, of that they intend to offer for their "parts. — They intend to expoſtulate with me "hereupon. I have my anſwer ready enough to "them."

"By ſuch talk, as I have of late had with the "lord James and Lethington, I perceive that they "are of mind, that immediately of the next con"vention, I ſhall repair to you with their determi"nation and reſolution in all purpoſes, wherein "your honour's advice is earneſtly and ſhortly "looked for. --- The lord of Lethington leaveth "nothing at this time unwritten, that he thinketh "may be able to ſatisfy your deſire in knowledge "of the preſent ſtate of things here."

We ſee, from this letter, that the affected pretence of thoſe perſons for aſſociating themſelves, and carrying on this underhand treacherous intelligence and correſpondence with England, was their fears from Mary on her arrival in her own domi-

dominions. How falſe theſe pretences were, may be judged from the conduct of this deluded princeſs, who, immediately on her arrival, threw herſelf into the arms of theſe very men, Murray, Morton, and Lethington, who, notwithſtanding they had the ſole power in their hands, ſtill continued to carry on their treacherous underhand practices with England.

In the abſtract of Randolph's letters to Cecil, now in the Cotton library, we find, in one of them, of the nineteenth of June, 1563, theſe words: "If any ſuſpected letters be taken on the border, "open them not, but ſend them to my lord of Mur- "ray, of whoſe ſervice the queen of England is "ſure."

We now proceed to unfold ſome ouvert acts of Murray, in proſecution of his view of diſturbing the government and ſeizing the reins into his own hands.

The queen's purpoſe to marry the lord Darnley, in the year 1565, was an event which ſeemed to croſs Murray's ambitious views, in placing a maſter over him for the preſent, and by the proſpect of the queen's iſſue, cutting off all his hopes for the future. For preventing this marriage, a conſpiracy and aſſociation was formed, of which Murray was at the head, to ſeize the queen and lord Darnley at the kirk of Beith, on their return from Perth, on the firſt of July, 1565, to ſend her a priſoner to the caſtle of Lochlevin, and either to murther or to ſeize Darnley, and ſend him priſoner to England. We ſhall ſtate the evidence, and leave the reader to judge for himſelf.

Randolph, queen Elizabeth's miniſter at Edinburgh, from his letters, which are ſtill extant, appears to have been deeply engaged with the conſpirators in this plot. In his letter of the third of June,

June, he thus writes to Cecil; "People have "ſmall joy in this their new maſter, and find no- "thing, but that God muſt find him a ſhort end, "or them a miſerable life. The dangers of theſe "he now hateth are great; but they find ſome "ſupport, that what he intendeth to others, may "light upon himſelf."

In his letter of the ſecond of July, he writes thus to Cecil: "With my lord of Murray I have lately "ſpoken; he is grieved to ſee the extreme follies "in his ſovereign; he lamenteth the ſtate of the "country, that tendeth to utter ruin; he feareth "that the nobility ſhall be forced to aſſemble "themſelves together, to do her honour and re- "verence, as they are in duty bound; but, at "the ſame time, to provide for the ſtate, that it "do not utterly periſh.—The duke, the earl of "Argyle, and he, Murray, concur in this device, "many others are like to join them in the ſame: "what will enſue, let wiſe men judge."

How the ruin of the ſtate was to enſue from the queen's marriage, at this time, or what her follies were, is not ſo eaſy to be gueſſed at. That the queen's marriage was a very great bar in the way of Murray and his party, is extremely obvious; and, for that reaſon, that the moſt deſperate remedies were put in execution by them, to prevent its having effect, is very apparent. At this very period, however, it is acknowledged, by all our hiſtorians, that the queen was greatly beloved by her people, that her government was mild and unexceptionable to all. This Mr. Robertſon candidly acknowledges.

The only grievance, therefore, here complained of by Murray and Randolph the Engliſh miniſter, ſeems to be, that the queen ſhould think of marriage at all, at this conjuncture, which they foreſaw might

might put an end to that party in the Engliſh intereſt, which Elizabeth cheriſhed and kept up, for her ſcheme in diſturbing the government, and of which Murray, for his own private views, was at the head.

What lengths this aſſociation was reſolved to go, in proſecution of their ſcheme to prevent the marriage, we proceed to unfold.

Randolph thus writes to Cecil in his ſaid letter of the ſecond of July: "Darnley's behaviour is ſuch, "as he is run in contempt of all men, even of "thoſe that were his chief friends: what ſhall be-"come of him I know not; but it is greatly to "be feared, that he can have no long life among "his people."

Here is a prediction which, without the gift of prophecy, Randolph might very ſafely make from what follows in his letter to Cecil: "The queſ-"tion," ſays he, "has been aſked me, Whether, "if they, Darnley and his father Lennox, were "delivered to us at Berwick, we would receive "them? I anſwered, We would receive our own "in what ſort ſoever they came into us;" i. e. dead "or alive."

This conſpiracy being detected by the queen, the very day before it was concerted to have been put in execution, ſhe, with aſſiſtance of the earl of Athol, and what men he could inſtantly raiſe, made a ſudden march to Edinburgh, which entirely diſconcerted Murray and his confederates, in ſo much that, ſeeing themſelves detected, they made their retreat to Stirling, where they aſſembled their ſtrength, and ſoon after took arms, and roſe in open rebellion againſt their ſovereign.

This open attempt appeared to be ſo unprovoked and unjuſtifiable to the whole nation, that the queen, ſeconded by her whole people, found it

it an eaſy matter to cruſh Murray and his deſperate party, who for refuge fled into England.

The deſperate reſolution of Murray and his party, by thus riſing in open rebellion againſt their ſovereign, is thus opened to us by their confident Randolph, the Engliſh miniſter, in his letter to Cecil at this very time, the third day of September, 1565.

"The lords were forced from Edinburgh.—"The queen ſuſpects Morton, yet hath he not the "wit to leave her. She weareth a piſtol charged "when in the field; and of all her troops, her "huſband only has gilt armour.—Divers of the "other ſide are appointed to ſet upon the queen's "huſband, and either kill him or die themſelves. "They expect relief from England: much pro-"miſed, but little received as yet. If her majeſty "will now help them, they doubt not, but one "country will receive both the queens."

We ſhall only add one teſtimony more; that is, no leſs than the affirmation of moſt of the Scotch nobility: among whom was the earls of Argyle, Rothes, and the lord Boyd, who at firſt joined with Murray, but afterwards ſubmitted, and were pardoned by the queen, and muſt have certainly have known the truth of what they ſubſcribed to againſt Murray, their aſſociate, in this affair. Their affirmation is in theſe words: "That "he, Murray, at this time conſpired the ſlaughter "of the lord Darnley, and to have impriſoned "her highneſs in Lochlevin, and uſurped the go-"vernment."

Thus have we full and clear proof, from the concurrent teſtimonies of the conſpirators themſelves, of a plot and confederacy formed by Murray and his party for ſubverting the government, dethroning queen Mary, and murdering the lord

Darnley; and this carried into execution by an open rebellion, headed by Murray, which queen Mary was ſo ſucceſsful as to cruſh, and oblige him to fly the kingdom, and to take refuge under queen Elizabeth, whoſe ſhare in this enterprize ſeems ſufficiently proved by the preceeding teſtimonies.

What motives, may we not in our turn aſk, could induce Murray, at this time, when the kingdom was in univerſal peace and quiet, under the mild government of his benefactreſs, who had raiſed him to the height of power next to herſelf, and truſted him with the adminiſtration of all affairs, thus, unprovoked, to form a plot to dethrone her, and murther her huſband? What elſe, ſurely, but that inordinate luſt of power and ambition, to ſet himſelf at the head of the government, and to rule alone; which ever has been, and will be, a tempting motive to ambitious men to break through the ſtrongeſt ties, and commit the worſt of crimes! And, although Murray failed at this time in his attempt, yet, by perſevering in his ſcheme, and laying his plan deeper, he ſoon after was ſucceſsful.

Malum minatum et damnum ſecutum, ſay the lawyers, is a moſt certain preſumption of guilt, which nothing but the moſt poſitive evidence of the contrary, can remove. Of the malum minatum by Murray to the lord Darnley, carried even into execution, it is impoſſible to produce a more glaring proof than by the preceeding teſtimonies; nor was the actual murder of that prince ſo very remote from this period, as to remove that preſumption.

Murray's rebellion and baniſhment was in October, 1565; and Darnley's murder happened in the beginning of the year 1567, on the tenth of Febru-

February; that is, ſcarce ſixteen months diſtant, and within leſs than eleven months after Murray was recalled from his baniſhment.

What explanation the earl of Murray was pleaſed to give to queen Elizabeth, his friend and confident, of the conferences, held by him in the caſtle of Craigmillar, we are yet to learn. There is no doubt that he thought himſelf very ſafe in the hands of that princeſs, to whom, he tells us upon oath, that he had unboſomed himſelf; and therefore, it would appear, he thought no body elſe had a title to hear his tale.

Thus far we ſee, from this extraordinary anſwer of Murray, that he does not deny the conferences and propoſal alledged to have been made by him and Lethington, as the earls of Huntly and Argyle have declared in their proteſtation. It therefore muſt appear ſufficiently convincing, to any unprejudiced perſon, that what theſe noblemen have affirmed is true.

We therefore ſhall leave to every perſon to judge for himſelf of the propriety of the inference theſe noblemen draw from thence, of Murray and Lethington's guilt, and acceſſion to the murder of the lord Darnley, which was committed within a few weeks of their propoſal to make the queen "quyte "of him."

Of this proteſtation, as it is called, of Huntly and Argyle, we have a copy preſerved in the Cotton library, with the original of Murray's anſwer, ſigned by himſelf, James Regent, paſted on the back of the proteſtation.

The diſſertator endeavours to ſhow that there never was any original of the proteſtation ſigned by Huntly and Argyle, what is extant being, as he is pleaſed to alledge, only an intercepted copy, contained in a letter ſent by the queen to theſe

two noblemen to make out and ſign. What is extant, is acknowledged to be no more than a copy unſubſcribed: but that can be no proof that there never did exiſt an original. Queen Mary had very good reaſon not to truſt the original of ſo important a writing with ſecretary Cecil, or even with his miſtreſs Elizabeth, after the manifeſt partiality ſhe had already diſcovered againſt her.

But, although the original of this paper does not at this day appear, yet we have an authentic evidence to the truth of the facts contained in it; not only ſigned by Huntly and Argyle, but likewiſe atteſted by thirteen other peers of the higheſt rank in Scotland, dated the twelfth of September, 1368. After relating the murther of Rizio, and the baniſhment of Morton and his aſſociates upon that account, it proceeds in theſe words: "And "hearing of the young behaviour, thro' fulage "counſal of hir (the queen's) huſband, thay "cauſit mak offers to our ſaid ſovereign lady, gif "hir grace wald gif remiſſioun to them that were "baniſhed at that time, to find cauſes of divorſe, "or then to get him convict of treaſon, or what "otherway to diſpatch him, which altogether hir "grace refuſed, as is manifeſtly known."

It is needleſs to uſe further arguments while we have the beſt authorities to ſupport this writing of Huntly and Argyle; no leſs than that of ſecretary Cecil himſelf. We have already ſaid, that, on the back of the copy of the proteſtation in the Cotton library, is paſted the original anſwer to it, ſigned by the earl of Murray; and at the foot of this is written, by ſecretary Cecil's own hand, this notandum: "19th January 1568. An anſwer of "the earl of Murray to a writing of the earl of "Huntly and Argyle."

Within

Within a few days after the conferences in the caſtle of Craigmillar, viz. on Chriſtmas, 1566, the queen was prevailed upon to grant a pardon to the earl of Morton, and to the number of ſeventy-five of his accomplices in Rizio's ſlaughter. This was the previous and neceſſary ſtep of the confederates to the grand enterprize, which ſoon after, upon Morton's appearing again in the ſcene, was to take place.

Upon the ninth of February, 1567, the earl of Murray affected publicly to aſk leave to go from court to his houſe in St. Andrew's, on pretence that his wife was in danger of an abortion. And the next morning, the tenth of February, the king's houſe was blown up with gunpowder, and his body found dead.

Before we go further, it may not be improper to make a ſtop here for a little, and call back our attention to two facts that have occurred in the preceeding narration, which appear to throw ſome light upon the dark affair of Darnley's murther.

It is told us, by all the hiſtorians, and particularly by the lateſt, Dr. Robertſon, that, in the end of October, 1566, about three months before lord Darnley's murder, he intended to have left the kingdom, and to have gone into foreign parts, and with great difficulty was diſſuaded from this purpoſe by the queen.

The other fact to be obſerved, is the propoſal made by Murray and Lethington to the queen in the caſtle of Craigmillar, to procure a divorce between her and Darnley; which propoſal the queen utterly rejected.

Now, as both theſe incidents happened within ſo ſhort a time of Darnley's murder, and at a time

when his behaviour to the queen was moſt ſhocking; if the queen had truly been deſirous to get rid of her huſband, is it natural to conceive, that ſhe ſhould have rejected both theſe opportunities of being ſo effectually freed from him without trouble, and rather chuſe to involve herſelf in the horrid crime of his murder?

Should we ſuppoſe, that the reaſon of her rejecting the propoſal of the divorce, might proceed from an apprehenſion of injuring her ſon's title, which it is improbable that a woman, ſo wicked as to be meditating the death of his father, could be much affected with. Yet Darnley's project of going abroad, not only freed her from the company of a troubleſome huſband; but likewiſe, if we can ſuppoſe her as wicked as her enemies have aſſerted, afforded her many opportunities, either of keeping him out of the kingdom, or of conſpiring his death at a diſtance, by unknown hands.

We ſhall now proceed to examine the conduct of Murray and his confederates, ſubſequent to the murder of lord Darnley.

Murray, we have ſeen, choſe the very day before the murder to withdraw from court, and to go over the Forth to his caſtle of St. Andrew's. Soon after he returned to court, and, with Bothwell, Morton, Lethington, and their party, was in high favour and confidence with the queen.

It is generally allowed by hiſtorians, that the earl of Bothwell was one of the principal actors in the king's murder. The earl of Morton and Lethington, as we ſhall afterwards ſhew, were both of them acceſſories, and privy to that black affair; and Morton in his confeſſion, as delivered to us at his death, expreſly acknowledges, that Bothwell acquainted him with the bloody deſign.

We

We have no direct evidence, indeed, that Morton and Lethington communicated this affair to their friend Murray. We ſhall therefore leave it to the impartial reader, upon weighing all circumſtances, to judge for himſelf of the probability of their concealing this ſecret from their boſom friend, hitherto ſo cloſely aſſociated with them; and who was himſelf, according to their ſchemes, to be the chief gainer by Darnley's death.----The part Murray was to play, as laid down by Lethington in the caſtle of Craigmillar, was, "to look through "his fingers, and behold their doings, ſaying no-"thing."

The general report having loaded Bothwell with the murder of Darnley; the earl of Lennox, by ſeveral letters, addreſſed the queen, to bring Bothwell, and other ſuſpected perſons to trial. The queen accordingly gave orders for trying Bothwell, as guilty of the murder; and, by a letter of the twenty-fourth of March, requeſted Lennox to repair to Edinburgh, with his friends, the approaching week.

After this, we find the earl of Murray preſent at court till the ninth day of April, two days before Bothwell's trial was to proceed; when, having obtained leave of the queen, he departed for France. Having lent his aſſiſtance in preparing matters for the farce that was ſoon to follow of Bothwell's trial, he moſt ſtrictly adhered to his plan of retiring himſelf from the ſcene, leaving his faithful actors, Morton and Lethington, to perform the active part of the drama.

On the twenty-eighth of March, we find the queen deſiring the advice of her nobles and privy-council; and the act of council of that day ordains trial to be taken againſt Bothwell, upon the

twelfth day of the April following, before the high court of juſtice at Edinburgh.

Beſides the above letter of the queen to Lennox, of the twenty-fourth of March, deſiring his immediate preſence, with his friends, at Edinburgh, the act directs public intimation to be made to the earl, to attend on the ſaid twelfth of April, the day of trial.

Lennox, in conſequence of theſe intimations, ſet out from his houſe near Dumbarton, which was but forty miles diſtant from Edinburgh, and came to Stirling, from whence he wrote to the queen upon the eleventh of April, the very night before the trial, excuſing himſelf for not appearing there, on account, as he pretended, of his falling ſick on his journey. At the ſame time he complained of the ſhortneſs of time allowed him for conveening his friends, and requeſted the day of trial to be adjourned. This ſudden change and reſolution of the earl of Lennox coming rather too late, the trial notwithſtanding proceeded.

It has been thought by many, that the whole procedure, at this trial, was altogether a ſham, in conſequence of a premeditated ſcheme, contrived to have Bothwell acquitted, and the whole managed by Morton and his party.

The next event, brought about by the management of the very ſame perſons, headed by Morton, is the famous bond ſigned by him and the other nobles who at that time attended the parliament. In which deed they aſſert Bothwell's innocence, they promiſe to ſtand by him and ſupport him with their lives and fortunes; and, to ſum up all, they, with one voice, recommend him to the queen, as the moſt proper perſon ſhe could chuſe for a huſband; and, if ſhe would deign to elevate him to that high rank, they undertake to promote the marriage,

marriage, and ſupport him with their whole power againſt all mortal.

" This infamous bond," ſays doctor Robertſon very juſtly, " leaves a deeper ſtain, than any oc-
" currence of that age, on the honour and charac-
" ter of the nation."

This bond is ſaid, by the earl of Murray's party, to have been procured by Bothwell in the following manner: The parliament was diſſolved on the nineteenth of April, that night Bothwell invited the whole nobility to an entertainment; when, having filled the houſe with his friends, and ſurrounded it with armed men, he, by that means, prevailed with all that were preſent to ſign the bond.

It is ſcarce poſſible for the wit of man to deviſe words more binding by every tie, human and divine, than thoſe of the bond, ſubſcribed by Morton and the Scotch nobility, in order to induce the queen to this ill adviſed and fatal marriage. Yet, what a ſhocking reflection upon the human heart! is it, to think, that even Morton himſelf, one of the principal ringleaders in the aſſociation, ſhould within little more than a month of this moſt ſolemn deed, riſe in arms againſt his ſovereign, head a rebellion, and dethrone and impriſon her, upon this remarkable pretext, That, by her ungodlie and diſhonourable proceeding, in a private marriage with (Bothwell) ſuddenly and unproviſitly,--- it is certain ſhe was privy, art and part, of the murder of the king.

The moſt exceptionable ſtep in queen Mary's conduct, appears to be, her conſenting to marry the earl of Bothwell, the perſon aſperſed with being concerned in the murder of the lord Darnley. That Mary believed him innocent, and that the ſtrange aſſociation of the nobility in his favour, muſt

muſt have ſerved to confirm her in that opinion, muſt be acknowledged. At the ſame time, to acquit her of indiſcretion, in giving way to his ſollicitation in his favour, and ſuffering herſelf to be prevailed with to follow ſo imprudent a meaſure, is a taſk we ſhall not attempt. That fatal ſtep gave to her enemies, who lay in wait to undo her, every advantage, and haſtened her ruin.

No ſooner was this unhappy marriage concluded, than Morton, Lethington, and the reſt of the party, hitherto the pretended friends and adherents of Bothwell, began quickly to throw off their maſks; theſe very men, the aſſociates of Morton, who had been the chief inſtruments employed in the mock trial, and acquitting of Bothwell for the murder of the king; who had brought about the infamous bond, aſſerting Bothwell's innocence, addreſſing the queen to marry him, and ſolemnly binding and engaging themſelves to ſupport him with their lives and fortunes; theſe were the men who, immediately after the marriage, formed an aſſociation againſt the queen and this very Bothwell; and, ſo cloſely had they carried on their meaſures, that, within three weeks after the marriage, they were ready to have made the queen and Bothwell priſoners in her own palace.

The queen and Bothwell having a hint given them of the conſpiracy againſt them, they, on the ſixth of June, made a very narrow eſcape from Holyrood houſe, and came to the earl of Bothwell's caſtle of Borthwick, from thence they went to Dunbar; and, in a few days after, the queen having haſtily called together a handful of ſuch of her ſubjects as could be eaſily conveened, ſhe and Bothwell marched towards Edinburgh, and were met by the earl of Morton and his party, with a

far

far ſuperior force at Carberry hill, about five miles from that city.

Many of the nobility, ſuch as Athol, Mar, and others, from a real conviction of Bothwell's being principally concerned in the late king's murder, and apprehenſion of danger to the young prince, had by this time joined with Morton and his party.

An interview was brought about between the queen, and ſir William Kirkaldy of Grange, on the part of the rebels, who required no other terms than thoſe of her diſmiſſing Bothwell from her preſence, and promiſing, on that condition, all dutiful obedience to the queen. She, relying on the faith of this treaty, and to avoid bloodſhed, directly went over to the oppoſite army, and delivered herſelf implicitly into their hands. How well theſe gentlemen kept their faith, ſhall be ſhown.

Dr. Robertſon has, in very ſtrong colours, painted the vile indignities offered to this unfortunate princeſs, and the ſhocking ſpectacle exhibited to an influenced rabble, of a crowned head, dragged along the ſtreets of her own capital like a malefactor. As the picture is maſterly and well painted, the reader will not be diſpleaſed with a view of it in this place.

The doctor introduces his narration in theſe words: "As ſoon as Bothwell retired, Mary ſur-
"rendered to Kirkaldy, who conducted her to-
"wards the confederate army: the leaders of
"which received her with much reſpect, and Mor-
"ton, in their name, made ample profeſſions of
"their future loyalty and obedience. But ſhe was
"treated by the common ſoldiers with the utmoſt
"inſolence and indignity, they poured upon her
"all

" all the opprobrious names commonly beſtowed " on the loweſt and moſt infamous criminals. " Wherever ſhe turned her eyes, they held up be- " fore her a ſtandard, on wh ch was painted the " dead body of the late king, ſtretched on the " ground, and the young prince kneeling before " it, and uttering theſe words, ' Judge and re- " venge my cauſe, O Lord!'

" Mary turned with horror from ſuch a ſhock- " ing ſpectacle; ſhe began already to feel the " wretched condition to which a captive prince is " reduced. She uttered the moſt bitter com- " plaints; ſhe melted into tears, and could ſcarce " be kept from ſinking to the ground.

" The confederates carried her towards Edin- " burgh --- the ſtreets were covered with multi- " tudes, whom zeal or curioſity had drawn toge- " ther to behold ſuch an unuſual ſcene. The " queen, worn out with fatigue, covered with " duſt, and bedewed with tears, was expoſed as a " ſpectacle to her own ſubjects, and led to the " provoſt's houſe; and, notwithſtanding her in- " treaties, the ſame ſtandard was carried before " her, and the ſame inſults repeated."

The doctor adds: " The people beheld the " deplorable ſituation of their ſovereign with in- " ſenſibility; and, ſo ſtrong was their perſuaſion " of her guilt, that the ſufferings of their queen " did not in any degree mitigate their reſent- " ment, or procure her that ſympathy which is " ſeldom denied to unfortunate princes."

On this pathetic deſcription of Dr. Robertſon, we ſhall beg leave to make a remark or two: He is pleaſed to ſay, that Morton and his friends, the leaders of the band, received the queen with much reſpect, and made ample profeſſions of their future loyalty and obedience, but that the common ſoldiers treated her with inſult and indignity; and,

and, according to the doctor, we are to underſtand, that all the inſults and indignities offered to the queen, were from the common ſoldiers and the mob. But a very little attention to the circumſtances attending this affair, will eaſily convince us, that Morton and his aſſociates, the leaders, conducted the whole; and that the mob, who thus openly inſulted their ſovereign, were influenced and ſpirited on by them.

Neither the mob, nor the ſoldiers, could have directed the queen to be expoſed in ſo indecent a manner, carried along the ſtreets of Edinburgh, and lodged in the provoſt or mayor's houſe, which was ſituated in the upper or higher part of the city, when the queen's own palace of Holyrood-houſe was ſituated at the lower or eaſt end of the city, and directly in the road from Carberry-hill. The ſhocking ſtandard too, a device previouſly contrived to influence the rabble againſt their queen, was above the reach of thought or invention of a blind mob, and, to demonſtration ſhews, from what quarter it came, and that nothing in the power of human invention, was omitted by Morton, and his aſſociates, to influence the unthinking commonalty againſt their queen, to extinguiſh every ſentiment of pity or compaſſion for the miſerable ſituation to which they had reduced her, and to excite them to give their aſſent to the more violent meaſures which were ſoon to follow.

It does not appear, that the doctor has any authority for his concluſion, "That the people were "ſo ſtrongly perſuaded of the queen's guilt, that "they beheld her ſufferings with inſenſibility, and "did not in the leaſt mitigate their reſentment."

He quotes Melvin and Buchanan, in neither of which authors is ſuch a paſſage to be found; on the contrary, even Buchanan himſelf gives a very different concluſion to the ſtory: "Cum vero, la-

"cryma-

" crymabunda, per feneſtram in publicum proſ-
" piceret, et concurſus populi eo fieret, nec de-
" eſſent, qui hanc ſubitam fortunæ mutationem
" commiſerarentur, vexillo, quod diximus, ob
" oculos expoſito, ſtatim occluſa feneſtra, ſe intro
" proripuit."

This account exactly agrees with Crawford's manuſcript; the words of which are: " The honeſter
" ſort among the citizens, ſtung with remorſe and
" pity, crowded to the place, and had certainly
" ſet her at liberty, if the conſpirators, who knew
" the honeſt temper of the queen, had not, with a
" well-feigned grief, proteſted, they were ſorry
" they had given her ſuch cauſe of complaint, and
" that they would inſtantly reſtore her to her pa-
" lace of Holyrood-houſe."

This they accordingly did that evening; but, to prevent any attempt of a reſcue, ſhe was, ſays biſhop Leſly, " in the night privily conveyed, and
" with haſte, in diſguiſed apparel, to the ſtrong
" fortreſs of Lochlevin, and, after a few days,
" ſtripped and ſpoiled of all her princely attire-
" ments, and clothed with a coarſe brown caſ-
" ſock."

We have only to add, that the perſon who undertook the infamous office of carrying his ſovereign a captive to her priſon, was the lord Lindſay, Morton's cloſe friend, who had been a confederate with him in the murder of Rizio, for which the queen had generouſly pardoned them both, and recalled them from baniſhment only ſix months before this period.

The pretence given out by Morton and his aſſociates for taking arms againſt the queen and Bothwell, was to revenge the king's death, and to proſecute his murderers, and chiefly Bothwell, whom they aſſerted to be the chief perſon concerned in it. Notwithſtanding, upon the queen's deli-

delivering herſelf into their hands at Carberry-hill, on the fifteenth of June, 1567, although they broke their faith to her, and ſent her priſoner to Lochlevin, yet they allowed the earl of Bothwell to retire from the field almoſt alone, without attempting to follow him. He went ſtraight to Dunbar caſtle, where he quietly continued until the 26th of June; at leaſt, of that date, we find an order of Morton and his council for ſummoning "the keeper of Dunbar caſtle to ſurrender the "ſame, becauſe the earl of Bothwell was reſet and "received within the ſaid caſtle."

This was ſurely a civil intimation for this alledged criminal to ſhift his quarters; how long after this he choſe to abide there, does not appear. Some time after, as high admiral of Scotland, he went to ſea, with ſome few ſhips under his command, and cruized along the northern coaſt, till the eleventh of Auguſt, that a commiſſion was iſſued to Murray of Tullibardine and ſir William Kirkaldy of Grange, to provide ſhips, and "to "purſue the earl of Bothwell, by ſea or land, by "fire and ſword." In conſequence of which, a "fleet being ſent after him, Bothwell fled to the coaſt of Denmark, where, by ſome of the king of Denmark's ſhips, he was taken priſoner and carried to Denmark.

"They were glad (ſays Crawford's manuſcript) "of his eſcape from Carberry-hill, for no man "purſued him, nor did any offer to attack him at "Dunbar, whither he retreated and ſtaid at leaſt "fourteen days; and, indeed, if Grange had "taken him at Orkney, it is more than probable "(leſt he had betrayed his accomplices) that he "had been ſacrificed on the ſpot."

The confederates having thus ſecured the queen a captive in their own hands, and expelled Bothwell the kingdom, they compleated their ſcheme,

by

by wreſting the reins of government from their ſovereign, and ſeizing them into their own hands.

What follows does not belong to our preſent plan; in which nothing more is intended than to give ſome comparatory deſcants upon the different accounts given of this queen by hiſtorians.

The part the confederates, with Murray at their head, acted in accuſing the queen of the murder of lord Darnley, before queen Elizabeth, by which Murray ſecured himſelf, by Elizabeth's means, of the regency of the kingdom, has already been ſhown. And thus matters reſted as to any further enquiry after Bothwell, during Murray's life.

After the death of the earl of Murray, the earl of Lennox, father to the lord Darnley, having ſucceeded him in the regency, he ſent over, in the year 1570, one Thomas Buchanan, as his miniſter to the court of Denmark, to ſollicit that king to have the earl of Bothwell ſent home and delivered up to him: this embaſſy had not the effect of procuring the earl of Bothwell to be delivered up; we learn, however, that Mr. Buchanan ſent over an account of his tranſactions to his maſter Lennox, which, it is probable, contained ſome particulars from the mouth of Bothwell relating to the murder. Theſe, it would appear, were not thought proper to be expoſed to light.

The earl of Morton, at this time was at London, negociating to have queen Mary ſtill detained priſoner. It is probable, that this embaſſy of Buchanan's to Denmark was not reliſhed by him. He appears to have been ſuſpicious of ſome diſcoveries from that quarter. He had the addreſs therefore, to intercept the above packet from Buchanan, and the boldneſs to open and peruſe the contents,

contents, though addreſſed to his maſter Lennox himſelf only: for proof of this fact, we have Morton's own letter to the regent Lennox ſtill preſerved, though Buchanan's account from Denmark is not to be found; but, as Morton himſelf ſoon after ſucceeded to the regency, this may eaſily be accounted for: Morton's letter to the regent is in theſe words:

"We reſavit a letter written furth of Denmark "be Mr. Thomas Buchanan to your grace, of "date the twentieth of January; and, becauſe we "judgit that ſome things might be ſpecifyed "thairin quhilk were expedient to be remembered "upon here; we tuke the boldneſs to open and "read the letter, quhilk it may pleis your grace "preſently to reſaive. The cauſe why it has been "ſo long in ſending was, that we thought not "beſt to commit it to the throuch poſt, or a com-"mon meſſenger: for that we had na will the "contents of the ſame ſuld be known, fearing "that ſome words and matters mentioned in the "ſame, being diſperſit heir as novellis, ſuld rather "have hindered than furthered our cauſe; and "thairfor, being deſirit at court to ſhow the let-"ter, we gave to underſtand, that we had ſent "the principal away, and deliverit a copy, omit-"tand ſic things as we thought not meet to be "ſhawn, as your grace may perceive by the like "copy, quhilk alſo we have ſent you herewith, "quhilk ye may communicate to ſic as your grace "thinks not expedient to communicate the haill "contents of the principal letter unto."

This letter is ſigned by Morton, and likewiſe by the abbot of Dunfermline and Macgill, two perſons whom we have already ſeen employed as uſeful inſtruments to Murray and Morton, parti-

cularly as judges in the trial of this very Bothwell, and ſoon after employed as commiſſioners in accuſing the qeeen at the conferences of York and Weſtminſter. This noted letter, ſigned by theſe three confederates, is dated the twenty-fourth of March, 1570, that is, above two months after the date of Thomas Buchanan's letter to Lennox: from which it is plain, that Morton and his aſſociates muſt have kept this letter in their hands above a month, before they were pleaſed to ſend it down to Scotland to Lennox, to whom it was addreſſed.

For what purpoſes Morton intercepted, and detained ſo long this letter from Denmark in his hands, and why he was pleaſed to deliver a falſe and imperfect copy, even to his good friend queen Elizabeth, and her miniſter Cecil, omitting ſome matters, contained in this letter, that were not meet (as he acknowledges) to be ſhown, ſeem to be pretty obvious; and, it is left to others to determine, how far this whole manœuvre of Morton, with reſpect to the intercepting this packet to the regent, breaking it open, detaining it for ſeveral weeks in his hands before he ſent it to Lennox, concealing the contents, and taking upon him to deliver to the Engliſh court a falſe copy, or, indeed, to deliver any copy at all, does not carry the ſtrongeſt ſuſpicion, that the original letter ſent from Denmark, contained matters of great importance relating to the murder, and particularly againſt Morton himſelf, and the whole party; and if for that reaſon he might not have abſtracted part of the contents, and even falſified the original, which he was pleaſed to ſend to Lennox, for the ſame very reaſons which induced him to falſify the copy, which, he owns himſelf, he gave in to the Engliſh court.

The

The opening a letter from an embaſſador at a foreign court, to his maſter the regent of Scotland, without authority, muſt convince every mortal, that Morton muſt have been under the greateſt inquietude and ſuſpicion, that the contents were of the utmoſt importance, and contained ſome dangerous diſcoveries relating to himſelf, which could induce him to venture upon ſo groſs a practice; and, his keeping up the letter for ſo long a time in his hands, under the poor pretence of not truſting it with a common meſſenger, is a convincing proof, that, during that time he was practiſing upon it, and that it was not without deſign that he kept this letter all this while in his hands.

Lennox continuing to ſolicit the king of Denmark to ſend over Bothwell to be tried, queen Elizabeth likewiſe was pleaſed to urge the ſame requeſt. That king, by a letter ſent to the earl of Lennox, agreed to ſend over Bothwell upon theſe conditions, that queen Elizabeth ſhould become bound, and likewiſe the eſtates of Scotland, by ſolemn writings, to be ſent to Denmark againſt the twenty-fourth day of Auguſt, 1571, that the earl of Bothwell ſhould have a fair trial. This letter Lennox ſent to queen Elizabeth for her advice, by a letter of the twenty fifth of May that year; but the ſecurity for Bothwell, demanded by the Dane, not being ſent, that affair was of conſequence dropt altogether.

We ſhall add nothing here concerning the duke of Norfolk, as a particular account of all that relates to his trial, has been given in the foregoing number.

Murray having ſuſpected Lethington as one that was in queen Mary's intereſt; "he appre-"hended, (ſays Crawford's memoirs, p. 133.) "Lethington had conſpired with the duke of

" Norfolk to effect the reſtoration of the baniſhed " queen." Murray therefore wanted to take him off, as he had done the duke of Norfolk: in bringing this about, however, it required all Murray's cunning and addreſs; Lethington had been too long his confederate for Murray to venture openly to provoke him to take a deſperate meaſure, and diſcloſe their joint ſchemes of iniquity. It was neceſſary therefore, that the accuſation againſt Lethington ſhould come from another quarter.

The earl of Lennox was under no ſuch reſtraint; his dependant, the famous Thomas Crawford, whom he had before brought as evidence againſt the queen, appeared before Murray and his council, and accuſed Lethington as acceſſory to the late king's murder: Lethington was thereupon impriſoned. Sir William Kirkaldy, of Grange, one of Lethington's friends, was then governor of the caſtle of Edinburgh; they both ſuſpected Murray to be at the bottom of this ſcheme, and told him ſo.

Lethington, and his friend Grange, were not, however, by ſmooth ſpeeches, convinced of the ſincerity of Murray's intention: a meſſage was ſent by Grange to the regent, deſiring the like juſtice to be done upon the earl of Morton, and Mr. Archibald Douglas. Grange himſelf offered to fight with Douglas and the lord Herries, with the earl of Morton, on that head, " that they " were in the council, and conſequently art and " part of the king's murder."

To this challenge no anſwer was made: " only " the regent ſtill continued to alledge, that the " lords had taken Lethington againſt his will." Grange, however, thought it beſt not to truſt to Murray's fair words, he therefore ſent a party from

from the caſtle, and took Lethington into his own hands; and ſo this affair ended.

The earl of Murray being ſhot, at Linlithgow, in January, 1570, his friend, the earl of Morton, now at the head of the party, took upon him immediately thereafter to call a meeting of the nobility, eſpecially ſuch, ſays Crawford, as were the queen's enemies. The friends of the queen, upon this, deſired the meeting to be adjourned for ſome time, that the whole nobility might have intimation and time to attend this convention.

Notwithſtanding, Morton and his friends met on the day appointed, when the firſt thing Morton got done, was an act of the convention, abſolving ſecretary Lethington from the late accuſation brought againſt him, as acceſſory to the late king's murder; "and recognoſcing him, as an honeſt "man, in his own place again; and as a good and "profitable inſtrument in this common weill." After this the earl of Lennox was declared regent of the kingdom.

Notwithſtanding this abſolution of Lethington, the very ſame year the regent Lennox diſmiſſed the ſecretary from his offices; proclaimed him a traitor on account of the late king's murder; and an act of forfeiture was paſſed againſt him.

As Morton was the regent's chief miniſter at that time, Lethington, with reaſon, accuſed Morton as the cauſe of his forfeiture. The letters that paſſ d between them on that head, which are ſtill preſerved to us, are curious, and give great light into this matter. Lethington wrote to his friend, the laird of Carmichael, the following letter, which, it appears, was ſhown to him by Morton:

"He (Morton) was the chief procurer and ſo-"licitor of my pretended forfeiture, for a crime

" whereof he knows in his conſcience I was as in-
" nocent as himſelf."

Morton's anſwer to Carmiachel is as follows:

" When it ſhall be conſidered who had the go-
" vernment, and for what cauſe the forfeiture
" paſſed, I think they will not eſteem me the
" chief procurer or ſolicitor thereof; for, the earl
" of Lennox being the regent, having the ad-
" miniſtration of juſtice in his hands, and the
" cauſe being the murder of the king his ſon, it
" might be well thought that there needed little
" procuration or ſolicitation.-----That I know him
" innocent in my conſcience as myſelf! the con-
" trary thereof is true; for I was and am innocent
" thereof, but could not affirm the ſame of him,
" conſidering what I underſtood of that matter of
" his own confeſſion to myſelf."

This was very plain language between theſe confederates, now upon the point of quarreling; but they knew they were ſtill in the hands of friends. If Morton had himſelf been entirely innocent, and knew Lethington to have been guilty of the king's murder, what could induce him, in the act of his convention, 1570, to procure this murderer of the king to be then abſolved of the crime, and recognized as an honeſt man? Only this, ſurely, that Lethington, at that time, was his friend and confederate; afterwards it ſeems he fell out with him, and had the influence with the regent ſecretly to procure Lethington's forfeiture; but, for fear of provoking him to a full diſcovery of their joint crimes, he durſt not openly act againſt him.

When we ſee Morton acting in this underhand manner, with regard to Bothwell and Lethington, during the government of the earl of Lennox then regent, we may juſtly conclude that, when he himſelf

himſelf came to ſucceed as regent of the kingdom, all care would be taken by him to ſtifle and ſmother every means of proof, and appearance of his guilt, during the many years of his regency, in which he acted without controul; and, by the moſt oppreſſive meaſures, had amaſſed a prodigious treaſure, while he kept the young king, in a manner, a priſoner in his hands. As the king, however, grew up, and became capable to diſtinguiſh his friends, Morton, with regret, beheld them by degrees ſurround the king, while his own party dropt off from him: he choſe, therefore, to make merit of neceſſity, by reſigning the regency; and he had no ſooner taken that ſtep, than an accuſation was brought againſt him, to the king and council, as accomplice in the murder of the lord Darnley, the king's father.

Morton was, upon the firſt day of June, 1581, brought to a trial before his peers. The earl of Montroſe ſat as chancellor: and, upon a full proof of the crime for which he ſtood indicted, they unanimouſly pronounced the following verdict: "The jury being ripely adviſed with his indictement, the tokens infallible and moſt evident, with the probations produced, and uſed for verifying thereof, did all, with one voice, find the ſaid earl of Morton guilty, art and part, in the foreknowledge, and concealing the king's murder."

What were the particular proofs and evidences which appeared againſt him, cannot with certainty, be known, the records being loſt. David Moyſe, a contemporary author, then one of the officers of the king's houſhold, in his Memoirs thus informs us, That the jury of peers found Morton guilty, "in reſpect of ſundry evidences of his indictment,

"preſented to the jury, ſome whereof were ſub-
"ſcribed with his own hand; and that like-
"wiſe it was verified by the depoſitions of ſome
"perſons that were actors in that horrible fact."

Morton's chief inſtrument and confident was one Archibald Douglas, whom, from being parſon of Glaſgow, Morton, after the murder of the king, had raiſed to the dignity of a lord of ſeſſion, and conſtantly employed as a tool in all his affairs. This man was univerſally known to have been one of the chief actors in the king's murder. Upon the earl of Morton's being accuſed, this Douglas, his confident, immediately fled out of the kingdom, and made his eſcape. One of his ſervants, John Binning, was apprehended and brought to trial, for aſſiſting with his maſter in the murder. Binning, at his trial, confeſſed his being an accomplice, and that he was preſent with his maſter, Douglas, at the murder of the king, with this circumſtance, that his maſter, being in his ſlippers, loſt them, and they being found on the ſpot next day, were known to be his.

The earl of Morton was condemned, and beheaded on the ſecond of June, 1581; and Binning was hanged the day after.

We have a narrative given us in Crawford's Memoirs, of what Morton is ſaid to have declared, as to his knowledge of the king's murder, while he lay under condemnation. This narrative was given out after his death, by ſome of the clergy, who had attended him after his condemnation. It is alledged, by the writers on the queen's ſide, that little faith ought to be given to this pretended narrative, which is no ways authenticated as the genuine confeſſion of Morton himſelf, but delivered

to

to us verbally, and at ſecond hand, by his friends after his death.

It is certain that Morton, at all times, found his account in keeping well with the clergy, who, in every turn of affairs, were his and Murray's great ſupport. What diſcoveries, therefore, he might have made at his death, or how far the narrative of his confeſſion, as given us by theſe his friends only, is true, or if it contains the whole of what he truly did confeſs, may be juſtly called in queſtion.

This confeſſion, as given us by Crawford, is as follows:

"That, upon his return from England, whither "he had been baniſhed for the murder of Rizio, "Bothwell came to him at Whittingham, and "propoſed the murder of the king to him, al- "ledging it was the queen's deſire to have him "diſpatched, as the principal author of Rizio's "death; and deſired his aſſiſtance in the affair: "to which he replied, that, if he (Bothwell) "would bring it under the queen's own hand, he "might then probably engage in the buſineſs; "but, that, though Bothwell often laboured to "draw him in, and promiſed to bring the queen's "own hand writing, yet he had never been able to "procure any ſuch thing; and, if he had, he "(Morton) was reſolved not to have meddled in "it. As for Mr. Archibald Douglas, his couſin, "he ſaid, he knew he was engaged in the murder "before it was committed; and that, after it was "done, he told him, that he had accompanied "Bothwell and Huntly to the place, and aſſiſted "them in the execution of the fact."

Morton

Morton pretended that he durſt not tell the king, as he would have diſcovered his author to the conſpirators, and thereby his own life would have been in danger.

It may be aſked, Could he not have revealed it then to the earl of Lennox, the king's father, and to his good friend the earl of Murray, and others of the nobility, who were at all times more than a match for Bothwell and his party, even though the queen had been in the conſpiracy? But this ſtory of the queen's being in the plot, he had no reaſon to believe from Bothwell's account; and he muſt have been convinced of the falſhood of his ſtory, from his not being able to ſhow him any thing under the queen's own hand, as his authority for ſaying ſo.

On the contrary, what was the part he acted? Although he confeſſes his knowledge of Bothwell and his couſin Douglas being the murderers, he was one of the moſt active managers for the earl of Bothwell, in getting him acquitted at his trial for this very murder; and ſoon after joined with ſeveral of the nobility in ſubſcribing a bond, aſſerting his innocence of the murder, and that they would aſſiſt and defend him with their bodies and goods againſt all gainſayers; and, finally, recommend him as a fit huſband for the queen. In the ſame manner he acted with Lethington: we have it fairly acknowledged by Morton's own hand writing, that he knew Lethington to have been one of the king's murderers; notwithſtanding, by the formal act of convention, he procures a reverſal of Lethington's forfeiture on that account, and obtains him "to be recognoſced as an honeſt "man."

And, laſtly, as for Douglas, his couſin, whom he alſo confeſſes owned to him his being an actor in

in the murder; he after that promoted him to be one of the lords of ſeſſion, and employed him as his confident and tool, to the very day of his impeachment, when Douglas made his eſcape.

But we have little occaſion to argue here on probabilities, againſt ſo defective an evidence as this verbal confeſſion of Morton, no ways authenticated, but delivered to us at ſecond hand by his friends of the clergy, when we have a direct proof of his actual guilt: to wit, the verdict of his peers, unanimouſly finding him guilty, upon a poſitive proof brought before them, by writings ſubſcribed by his own hand, and likewiſe by the depoſitions, as Moyſe affirms, of perſons who were actors in that horrible ſcene.

Thus have we, ſtep by ſtep, traced the three confederates, Murray, Morton, and Lethington, through the ſeveral mazes of their intrigues, from the queen's return from France, to the fatal period of the murder of the lord Darnley her huſband; and from thence to the death and execution of the earl of Morton, as accomplice in that murder.

Firſt, we have ſhown, by the united teſtimonies of ſir Nicholas Throgmorton, queen Elizabeth herſelf, Camden, and ſecretary Lethington's own letter, that, on queen Mary's return from France into Scotland, a plot was formed by Murray and Lethington, for having her intercepted in her voyage, and made priſoner by the Engliſh, in order to ſet Murray at the head of the government, and that a fleet was actually ſent out by queen Elizabeth for that purpoſe.

2. That, on Mary's reſolution to marry the lord Darnley, an inſurrection was made to prevent it by the earl of Murray and his adherents, and an attempt

tempt to ſeize her and Darnley at the kirk of Beith; which being fruſtrated, an open rebellion was raiſed, and headed by Murray, that terminated in his baniſhment.

From the letters of Randolph, the Engliſh miniſter, then at Edinburgh, who was acquainted by the conſpirators with the whole plot; and likewiſe from the declaration of ſome of the nobility who had joined with Murray in that rebellion, it is proved, that their deſign was, at that time, to have ſlain the lord Darnley, and to have ſent the queen priſoner to Lochlevin.

3. It is proved, That, while the queen was far advanced in her pregnancy, the aſſaſſination of Rizio was conſpired by Morton, and executed by a party of armed men ruſhing into her preſence and ſtabbing him at her very foot. And it is alſo proved, by the acknowledgment of the conſpirators, by Morton's letter to ſir Nicholas Throgmorton, and by the earl of Murray's appearing at Edinburgh within a few hours of the aſſaſſination, although he was then under baniſhment in England, that he and Lethington were deeply engaged with Morton in this aſſaſſination and conſpiracy.

It is proved, by the authentic declaration of a great part of the nobility of Scotland, in their inſtructions ſent up to England, anno 1568, and likewiſe by the proteſtation and declaration of the earls of Huntly and Argyle, that, in order to procure Morton's being recalled from baniſhment, on account of Rizio's aſſaſſination, the earl of Murray and Lethington, in preſence of Huntly and Argyle, propoſed to the queen, to procure a divorce from her huſband, and to make her quit of him, which ſhe rejected: and, within a few weeks thereafter

thereafter, the lord Darnley was actually murdered.

Such is the complicated evidence, that appears againſt the joint confederates, Murray, Morton, and Lethington, preceeding lord Darnley's murder, in which the earl of Murray is plainly pointed out to have been at the head, and in the direction of the whole conſpiracy, until the very period of the king's murder, that he withdrew himſelf, and ſoon after left the kingdom, and the management of the ſucceeding part of the ſcheme, to his friends Morton and Lethington, who, by their rebellion and impriſonment of the queen, ſecured for him the regency of the kingdom.

It muſt ſtill, however, be acknowledged, that there is no direct proof of Murray's being an actor in the murder of lord Darnley: but, when the whole of his conduct, which we have traced and detected, is conſidered, there appears the ſtrongeſt preſumptive evidence of his being acceſſory and privy to the whole affair.

Whoever then ſhall conſider the whole of Murray's conduct, his rebellions, plots, and conſpiracies; and, that, by a conſtant and invariable proſecution of his pernicious plan, he at length obtained the full completion of his ſcheme, by dethroning his ſovereign, poſſeſſing himſelf of the reins of government, and by that means having it in his power to ſmother and put out of the way all proof or evidence that might tend to diſcover his own guilt, with the remarkable caution obſerved by him, in taking care to withdraw himſelf from the ſcene, at the preciſe time always when the deciſive events were ready to fall out, muſt, for theſe reaſons, plainly ſee, that the foregoing preſumptive proof againſt Murray, from circumſtances, is

the

the only one which, from the nature of things, can at this day be expected. To this, however, we may add a direct proof of his using falſe evidence againſt the queen, in the caſe of Nicholas Hubert, or French Paris's confeſſion, which has been ſhewn to be falſe, and that the ſame came directly from the hand of Murray.

The evidence is much ſtronger, however, with regard to his two aſſociates, Morton and Lethington. The ſame preſumptive proof as againſt Murray, not only appears againſt them, but we have likewiſe a poſitive proof joined to it againſt each of theſe aſſociates; viz. the mutual retorted accuſation of each of them againſt the other, joined to the act of forfeiture againſt Lethington, by the regent Lennox, and the indictment, verdict and ſentence, paſſed by the peers of the kingdom againſt Morton, as an accomplice in the king's murder, together with his own confeſſion, that he was in the knowledge of the murder.----So full and direct is the proof of their guilt.

From all which it is ſubmitted to the judgment of the reader, whether theſe concluſions do not naturally follow: viz.

That, as it is proved, that the confederates, for taking away the king's life, were Morton and Lethington, the very perſons who afterwards brought an accuſation againſt queen Mary for that very crime; therefore ſhe herſelf could not have been in that confederacy, nor guilty of that crime.

Secondly, As it is proved that Murray, Morton, and Lethington, had been, from the queen's coming to Scotland, joint confederates in a ſeries of plots, conſpiracies, and rebellions, againſt her and her huſband, until the very eve of the king's murder.

murder. As they had unanimouſly accuſed the queen, of that very crime, of which, it is proved, that, at leaſt, Morton and Lethington were themſelves accomplices: and, as, in ſupport of their accuſation, this triumvirate had produced ſpurious and forged writings; and, by all theſe means, had dethroned their ſovereign, and poſſeſſed themſelves of the government: for theſe reaſons, therefore, the three confederates, Murray, Morton, and Lethington, ſhould be held, one and all of them, as guilty of the crime of which they had unjuſtly accuſed queen Mary.

THE

THE

LIFE AND DEATH OF THOMAS HOWARD.

AS many particulars of the hiſtory of this unfortunate nobleman are to be found in our former article, we ſhall content ourſelves with giving the reader a ſuccinct account of the moſt matarial circumſtances of his life.

Thomas Howard, the third duke of Norfolk, was grandſon of Thomas, the ſecond duke of Norfolk, lord high-treaſurer in the reign of king Henry VIII. and ſon of Henry, earl of Surry, who was beheaded in the latter part of that monarch's reign, for quartering the arms of Edward the Confeſſor with his own, without the king's permiſſion.

Thomas, his ſon, was born about the year 1536, and, at the death of his grandfather, in 1554, ſucceeded to his title as duke of Norfolk; and the ſame year, upon the inſurrection of the people of Kent under ſir Thomas Wyat, in order to oppoſe queen Mary's marriage with Philip, king of Spain, he was ſent with a ſmall body of her majeſty's guards, and about five hundred Londoners, to quell the rebellion.

Shortly after queen Elizabeth's acceſſion to the throne, he was made knight of the garter, and lieutenant-general of the northern parts of the kingdom;


HOWARD
SURRE
Earl of



kingdom; and, on the twenty-ſeventh of February, 1559-60, concluded the treaty of Berwick between his majeſty and the confederate Scots, to whoſe aſſiſtance he marched in the May following with a conſiderable reinforcement, in order to carry on the ſiege of Leith, which was ſurrendered to him ſoon after by the treaty of Edinburgh.

In the beginning of the year 1566, Charles IX. king of France, having empowered Monſ. Rambouillet to confer the order of St. Michael on any two Engliſh noblemen that the queen ſhould think worthy of that honour, her majeſty made choice of the duke of Norfolk and Dudley, earl of Leiceſter, who were accordingly inveſted with it on the twenty fourth of January. The ceremony was performed in the royal chapel at Whitehall with great ſolemnity.

In 1568, the duke was conſtituted one of the commiſſioners at York, for hearing the cauſe of Mary, queen of Scots; but, having liſtened to the propoſitions made to him by the biſhop of Roſs, the earl of Murray, ſir Nicholas Throgmorton, and the earl of Leiceſter, for marrying her, he incurred the diſpleaſure of queen Elizabeth, who, upon his return from the conference at York, expoſtulated with him in very ſevere terms for attempting ſuch a marriage without her knowledge; and commanded him, upon his allegiance, to lay aſide all thoughts of it. The duke ſolemnly promiſed the queen to obey her orders; adding, by way of ſlight to the queen of Scots, that his revenues in England were almoſt equal to her revenues in Scotland; and, that when he was at the tennis-court at Norwich, he thought himſelf upon a level with ſome kings: but, finding that the queen continued her reſentment againſt

him; that the earl of Leiceſter was in a manner alienated from him, and that the greateſt part of the nobility was become cold and regardleſs of his perſon, he was ſeized with great inquietude and dejection, and immediately quitted the court without leave, having formed a deſign to reſide at Norwich till he could find means to remove her majeſty's indignation by the interceſſion of his friends and his own ſubmiſſive letters: but returning ſoon after to London, he was again examined concerning the marriage, and, having confeſſed moſt of the articles laid to his charge, was committed to the Tower.

He was releaſed from that impriſonment the year following, and permitted to retire to his own houſe, the Charter-houſe, in the cuſtody of ſir Henry Neville, upon his acknowledging that he had acted imprudently, and entering into an engagement under his hand not to concern himſelf further in the marriage without the queen's approbation.

Secretary Cecil, who was his friend, earneſtly preſſed him to marry ſome other woman as ſoon as poſſible, and by that means to remove all future ſuſpicion.

It was the opinion of many, that the duke was enlarged merely with a view of involving him in new and greater dangers; his confidents being, according to a practice too common in courts, corrupted to betray all his ſecrets; for, in the year 1571, a diſcovery was made that he had again engaged in the deſign of marrying Mary queen of Scots; and this diſcovery was occaſioned by a packet of letters ſent from Ridolpho, agent of the queen and the pope, to the biſhop of Roſs; and confirmed by the confeſſion of Bailiff, a Fleming,

who

who brought thoſe letters; and of Higford, the duke's gentleman.

When examined before the council, he denied every particular, as he was entirely ignorant of what his ſervants had confeſſed. However, on the ſeventh of September, he was committed to the Tower; and, ſhortly after, Baniſter, his lawyer, the earls of Arundel and Southampton, the lords Lumley and Cobham, Henry Piercy, Lowther, Powel, Goodere, and others, were impriſoned; who were eaſily induced, by the hopes of a pardon, to declare all they knew concerning the affair.

When the duke was informed of this, and was ſhewn the paper ſent him from the queen of Scots, which he imagined had been burned by Higford, his confuſion was not to be equalled: he exclaimed, that he had been betrayed by his confidents, from the want of a proper degree of diſtruſt.

It has been ſaid, that men of great ſouls are not naturally inclined to diſtruſt, as they are apt to judge of others by themſelves; but, though a diſtruſtful temper is by no means the characteriſtic of a hero, experience evinces that it is a cardinal virtue in courts.

The duke finding himſelf detected, with the utmoſt humility entreated the lords to intercede for him with the queen; to whom, he proteſted, he never had the leaſt thought of doing any prejudice.

On the ſixteenth of January, 1571-2, he was brought to his trial in Weſtminſter-hall, before George, earl of Shrewſbury, who ſat as lord high-ſteward on the occaſion, and twenty-five other lords.

The ſubſtance of his indictment was, That he had traiterouſly conſulted to dethrone the queen, and to bring in foreign forces to invade the kingdom: that he had treated with the queen of Scots concerning marriage, in direct breach of his promiſe and to the hazard of the realm: that he had ſent money to the earls of Northumberland and Weſtmoreland, who had rebelled againſt her majeſty: that he had requeſted aſſiſtance of the pope, the king of Spain, and the duke of Alva, in order to ſet the queen of Scotland at liberty, and reſtore the popiſh religion; and, laſtly, that he had ſent ſupplies to the lord Herries, and others of the queen's enemies in Scotland.

Being found guilty of this charge, the queen, after having been a long time in ſuſpence, ſigned a warrant for his execution, and he was accordingly beheaded on the ſecond of June, on Tower-hill.

He confeſſed part of his faults, excuſed himſelf as to the reſt, and, in general, owned he had been juſtly condemned: but he declared, that he had never any thoughts of reſtoring the popiſh religion in England, and that he died a proteſtant. Having made this declaration, he devoutly fell upon his knees, and, fixing his mind upon Heaven, he laid his head upon the block, which at one ſtroke was ſevered from his body, and by the executioner ſhewn as a melancholy ſight to the afflicted ſpectators, whoſe regret was increaſed by the conſideration of his noble preſence and greatneſs, his affability and munificence, and by the remembrance, that his father, at the ſame place, had met with the ſame fate five and twenty years before.

He was thrice married; firſt, to Mary, daughter and one of the heirs of Henry Fitz-Alan, earl of Arundel, by whom he had one ſon, Philip; ſecondly,

condly, to Margaret, daughter and ſole heir of Thomas, lord Audley, by whom he had two ſons and two daughters; and, laſtly, to Elizabeth, daughter to ſir Francis Leiburne, knight, by whom he had no iſſue.

All thoſe of the Howard family adhered to the catholic religion except this duke, who embraced the proteſtant in the beginning of queen Elizabeth's reign. Since he declared that he died in the reformed religion, there can be no reaſon to call his religion in queſtion. But who can tell how far his ambition might have carried him, if he had found his projects more practicable? At leaſt, it cannot be denied, that thoſe who ſet him at work thought he might be relied on. After all, if any one doubted that the end of this conſpiracy was to reſtore the popiſh religion in England, he might be ſatisfied by the teſtimony of Heironymo Catena, in the life of Pius V. That author, inſtead of clearing the pope, makes him glory in having been the promoter of this conſpiracy, and boaſts of having ſent Ridolpho into England, to ſtir up the Engliſh to rebel againſt their queen.

THE

LIFE AND DEATH OF JAMES DOUGLAS.

JAMES DOUGLAS, earl of Morton, and regent of Scotland, was ſecond ſon of ſir George Douglas of Pinky, brother to Archibald, earl of Angus, by Elizabeth, daughter and ſole heir of David Douglas of Pittendrich. He was at firſt educa ed in a manner ſuitable to his rank, but, upon his father's being obliged to retire into England, his education was totally neglected; for king James V. had ſo great an animoſity againſt the earl of Angus, ſir George Douglas, and all their friends, that Mr. Douglas, ſir George's ſon, was forced to live privately with a friend in the north of Scotland; and, in order to conceal himſelf the more effectually, aſſumed the name of Innes, and ſerved a gentleman there in the quality of a ſteward, or chamberlain, for many years: but his father, and other relations, being reſtored after the death of king James V. Mr. Douglas appeared under his proper character, and ſhortly after married the lady Mary Douglas, ſecond daughter of James, earl of Morton; and had the honour, as well as the eſtate, of the family ſettled on him and his heirs by that earl; and, upon this marriage, immediately became maſter of Morton.

In 1544, he held out the caſtle of Dalkeith till after the battle of Pinky, when he was obliged to ſurrender

ſurrender it, and was carried priſoner to England: and, upon his return home, led a retired life till the year 1553, when, upon the death of his father-in-law, he came to the title and full poſſeſſion of the earldom of Morton, and was one of the firſt peers who exerted themſelves in ſupporting the reformation of religion, and preſerving the liberties of the kingdom, during the regency of the queen-mother: and, as ſoon as the French were forced to evacuate the country, by the aſſiſtance of the Engliſh, he was, together with the earl of Glencairn, ſent by the parliament embaſſador to England, to return thanks to queen Elizabeth for her ſeaſonable ſupplies, and to eſtabliſh a laſting peace between the two kingdoms.

During this embaſſy, the earl conciliated the favour of that princeſs to ſuch a degree, that her friendſhip for him continued to the laſt, though it ſeems highly probable, that her zeal for him might have contributed to his ruin.

In 1561, upon queen Mary's return from France, he was appointed one of the privy-council; and, on the ſeventh of February, 1563, lord high-chancellor; in which poſt he continued for two years; after which he was forced to fly into England, on account of the part which he had in the death of David Rizzio, her majeſty's French ſecretary, on the eighth of March, 1566: but he ſoon obtained a pardon by the interceſſion of the earl of Bothwell, though he was afterwards never admitted again to any degree of favour with the queen. However, he had ſo great a ſhare in the confidence of Bothwell, that the latter imparted to him his deſign of murdering the king, and requeſted his aſſiſtance in it, repreſenting it as an act that would be no leſs agreeable to the queen

than to himſelf: but the earl of Morton was ſhocked at the propoſition, and refuſed to engage in the affair, without receiving an order from under her majeſty's own hand for his ſecurity; and was actually at the diſtance of twenty miles from the place where that abominable action was committed. He moreover exerted himſelf to the utmoſt to bring Bothwell to puniſhment; and, upon his marriage with the queen, entered into an aſſociation with others of the nobility for the preſervation of the young prince; and, upon her majeſty's reſignation of the government, was reſtored to his poſt of lord-high-chancellor, on the eleventh of November, 1567; and the year following appointed one of the commiſſioners for the king of Scots, to treat with queen Elizabeth's deputies concerning the reaſons of the depoſing queen Mary.

After this, the earl had the chief management of all the affairs in Scotland, and, upon the death of the earl of Mar, was, on the twenty-ſeventh of November, 1572, elected regent of the kingdom; and, having overcome all his enemies, ſettled a profound peace at home, entered into a ſtrict alliance with England, took care to recover, and manage to the beſt advantage the revenue of the crown, and, by his conduct in general, gained both love and eſteem to himſelf, with the reputation of a very wiſe and prudent governor. But he ſoon forfeited the good opinion that had been conceived of him by the methods to which he had recourſe to enrich himſelf.

He began with the church, the clergy, who had great confidence in him, having been prevailed upon to reſign to him the thirds of their livings. To gain this point, he had engaged that they ſhould have their ſtipends paid with leſs trouble

than

than before; and, that, if after all they ſhould happen to diſlike the new method of payment, he would reſtore them to their former condition.

The thirds being put into his hands, he reſolved to make his own advantage of them. For this purpoſe, he aſſigned three or four churches to one miniſter, without encreaſing his ſtipend; and, as for the readers, the ſalaries allotted them were ſcandalouſly ſmall.

But this was only part of his ſcheme for amaſſing wealth, ſince he left no means unattempted for that end; which drew upon him the general hatred and envy: ſo that, growing at laſt very uneaſy in his government, he thought proper to reſign the regency in March, 1578.

This conduct of the earl's was highly imprudent; for, being thus diveſted of power, he ſoon found himſelf expoſed to all the deſigns of his enemies, who purſued his deſtruction with unrelenting rigour, charging him, among other things, with a ſecret correſpondence with queen Elizabeth.

At laſt, in December, 1580, he was committed to priſon upon an accuſation of having been an acceſſory in the murder of the king's father; and, though the queen of England interpoſed in his behalf, by her embaſſador ſir Thomas Randolph, yet he was brought to his trial on the firſt of June, 1581, and condemned to die.

He confeſſed the next day, to the miniſters who were ſent to him from the king, that, upon his return from England, whither he had fled after the murder of David Rizzio, the earl of Bothwell had propoſed to him the murder of his majeſty's father, urging that the queen was determined upon it, from the reſentment ſhe had conceived againſt him, for Rizzio's death, above all the reſt who were

were concerned in it. That his anſwer was, That, being but juſt delivered from one great perplexity, he did not chuſe to involve himſelf in another, nor to have any ſhare in that buſineſs. That, upon Bothwell's inſiſting, that the queen would have it done, he required to ſee her majeſty's hand-writing for that purpoſe; which was never produced; and, if it had, he was reſolved to have abandoned Scotland till better times. That he knew, indeed, of his couſin, Archibald Douglas, being concerned in the murder, before it was committed as well as after; and therefore could not deny, that he had foreknown and concealed the ſame. But to whom ſhould he have revealed it, ſince the king, though he had been advertiſed of the danger, would never have believed it?

Upon this confeſſion, his ſentence was changed from hanging to beheading; which was executed the ſame day, and his head fixed upon the moſt conſpicuous part of the Tolbooth, his body lying for ſeveral hours covered only with an old blue cloak, not one perſon appearing upon the place to ſhew his gratitude for any paſt favour, or to expreſs the leaſt ſign of regret for his unhappy end.

Never was there ſeen a more remarkable inſtance of the mutability of Fortune, or a ſtronger proof of the truth of Juvenal's obſervation, that the populace always hate the condemned.

"Sequitur Fortunam ut ſemper et odit damnatos." Sat. 10.

Thus he, who a few years before had been reſpected by all men, and feared as a king, abounding in wealth, honour, and number of friends, was, at his death, forſaken by all.

The

The earl of Morton was of a graceful perſon and countenance, though of a low ſtature. He had great perſonal courage, of which he gave many ſignal proofs during the civil commotions. He was wiſe, and poſſeſſed of great talents for government; a lover of juſtice, order and policy; but inclined to avarice, which is ſuppoſed to have ariſen from the neceſſities that he ſtruggled with in his early youth. He was alſo much addicted to ſenſual pleaſure, which he acknowledged at his death with great remorſe.

THE

THE LIFE AND DEATH OF ROBERT DEVEREUX.

ROBERT DEVEREUX, earl of Eſſex, was a gallant ſoldier, a great favourite, and an unhappy victim to the arts of his enemies and his own ambition, in the reign of queen Elizabeth.

He was ſon to Walter, earl of Eſſex, and Lettice, daughter to ſir Francis Knolles, who was related to queen Elizabeth, born November the tenth, 1567, at Netherwood, his father's ſeat, in Herefordſhire, when that noble perſon had attained no higher title than that of viſcount Hereford.

In his tender years, it is reported there did not appear any ſigns of an extraordinary genius in him; and one who was long in his ſervice, and could not but be well acquainted with the ſecrets of the family, aſſures us, that his father died but with a very cold conceit of his abilities, which, ſome thought proceeded from his great affection for his younger ſon Walter Devereux, who, it ſeems, had quicker and more lively parts in his childhood.

When Walter, earl of Eſſex, breathed his laſt in Ireland, he recommended this ſon of his, then in the tenth year of his age, to the protection of Thomas Radcliffe, earl of Suſſex, and to the care of William Cecil, lord Burleigh, whom he appointed his guardian.

Mr. Water-

Mr. Waterhouſe, then ſecretary for Ireland, a perſon equally favoured by his father and ſir Henry Sidney, lord-deputy of Ireland, had the immediate direction of his perſon and eſtate, which, though not a little injured by his father's public ſpirit, was, however, very conſiderable; and the regard ſhewn for his concerns, by the moſt powerful perſons at court, was ſo remarkable, that Mr. Waterhouſe made no difficulty of affirming, there was not, at that time, any man ſo ſtrong in friends as the little earl of Eſſex.

It was, certainly, out of reſpect to both families, that this gentleman laboured earneſtly to bring to a happy concluſion, a treaty of marriage, which had been for ſome time on foot between Mr. Philip, afterwards ſir Philip Sydney, the lord-deputy's ſon, and Penelope, ſiſter to the earl of Eſſex; in which, however, he had not the ſucceſs he deſired.

His application on behalf of the young earl, that he might be preſerved in the poſſeſſion of thoſe honours which his father had enjoyed in Wales, and which were attended with power and influence rather than profit, had better fortune through the aſſiſtance of the earl of Suſſex, who eaſily procured from the queen this mark of favour for a tender youth, whoſe father had deſerved ſo well.

In 1578, when he was about twelve years of age, he was ſent to the univerſity of Cambridge by the lord Burleigh, who placed him in Trinity-college, under the care of Dr. Whitgift, then maſter, and afterwards archbiſhop of Canterbury. He was educated there with much ſtrictneſs, and applied himſelf to learning with great diligence; ſo that, his quality conſidered, there were few young men of his ſtanding more diſtinguiſhed, either

either for ſolidity of judgment, or for an eaſy and eloquent manner of expreſſing their ſentiments.

Some bold writers have aſſerted, that, as Dr. Whitgift roſe in his preferments, he ſunk in the eſteem of his pupil, who, as they would have us believe, conceived an early diſlike to biſhops; but ſuch as knew the world well in theſe days, and had the faireſt opportunities of knowing the earl, aſſert the direct contrary, and that he continued always to treat the archbiſhop as his particular friend, and to reſpect him as his parent.

In 1582, having taken the degree of maſter of arts, he ſoon after left Cambridge, and retired to his own houſe at Lampſie in South Wales, where he ſpent ſome time in privacy and retirement; and was ſo far from having any thing of the eagerneſs or impetuoſity natural to youth, that, inſtead of being diſpleaſed, he became enamoured of his rural retreat; inſomuch, that it was with difficulty he was prevailed upon to leave it.

His firſt appearance at court, at leaſt as a candidate for royal favour, was in the ſeventeenth year of his age; when, however, he came thither, it is certain, he could not have hoped, or even wiſhed, a better reception. He brought thither, amongſt other ſtrong recommendations, a fine perſon, an agreeable behaviour, and an affability which procured him many friends, beſides the rare qualities of true piety, unaffected zeal for the public welfare, and a warmth and ſincerity in his friendſhips, which entitled him to univerſal eſteem. He, by degrees, ſo far overcame that reluctance which he is ſaid to have ſhewn, to uſe the aſſiſtance of the powerful earl of Leiceſter, that, towards the cloſe of the year 1585, he accompanied him, with many others of the nobility, to Holland; where we find him

him the next year in the field, with the title of general of the horſe; and, in this quality, he gave the higheſt proofs of perſonal courage, in the battle of Zutphen, September the twenty-ſecond, 1586; in which action ſir Philip Sydney was mortally wounded.

It was for his gallant behaviour upon this occaſion, that the earl of Leiceſter conferred upon him the honour of a knight-banneret in his camp.

On his return to England, it very quickly appeared, that the queen not only approved, but was deſirous alſo of rewarding his ſervices; and his father-in-law, the earl of Leiceſter, being advanced to the office of lord-ſteward of her majeſty's houſhold, ſhe, on the twenty-third of December, 1587, made the earl of Eſſex maſter of the horſe in his room.

In the ſucceeding year, which ſome have held the moſt critical of that reign, he continued to riſe, and, indeed, almoſt reached the ſummit of his fortune; for, when her majeſty thought fit to aſſemble an army at Tilbury, for the defence of the kingdom, in caſe the Spaniards had landed, ſhe gave the command of it, under herſelf, to the earl of Leiceſter, and created the earl of Eſſex general of horſe, ſhewing him, upon that occaſion, not only as much countenance as his own high ſpirit could expect, but a degree of favour even ſuperior to that of Leiceſter; ſo that, from this time, he was conſidered as the favourite declared; and, if there was any mark yet wanting to fix the people's opinion in that reſpect, it was ſhewn, by the queen's conferring on him the moſt noble order of the garter.

We need not wonder, that ſo quick an elevation, and to ſo great a height, ſhould ſomewhat affect the judgment of ſo young a man; and therefore there will

will not appear any thing ſtrange in the eagerneſs he is ſaid to have ſhewn, in diſputing the queen's favour with ſir Charles Blount, who, in proceſs of time, became lord Montjoy and earl of Devonſhire; which, however, coſt him ſome blood; for that brave man, taking diſtaſte of ſomewhat the earl ſaid of a favour beſtowed upon him by the queen, challenged him, and, in Marybone-park, after a ſhort diſpute, wounded him in the knee; with which the queen, who did not love to be controuled in her actions, was ſo far from being diſpleaſed, that ſhe ſwore a round oath, it was fit that ſome one or other ſhould take him down, otherwiſe there would be no ruling him. However, ſhe reconciled the rivals, and it will remain an honour to both their memories, that, profeſſing themſelves friends, they remained ſuch ſo long as they lived together.

In the beginning of the year 1589, the earl of Eſſex took a very extraordinary ſtep, which, how much ſoever it might encreaſe the reputation of his courage, did certainly no great credit to his prudence.

Sir John Norris, and ſir Francis Drake, had undertaken an expedition for reſtoring Don Antonio to the crown of Portugal, which the earl beheld as an action too glorious for others to perform, while he was a ſpectator only. He followed the fleet and army therefore to Spain, and, having joined them at Corunna, proſecuted the reſt of the expedition with great vigilance and valour; which, however, was not attended with much ſucceſs, at the ſame time that it expoſed him to the queen's diſpleaſure.

At his return, however, he ſoon recovered her majeſty's good graces; nor was it long before this was teſtified to the world, by his obtaining new marks of favour, in grants of a very conſiderable value;

value; a circumſtance in which his credit with the queen, ſeemed much ſuperior to that of all her other favourites.

He had now loſt the ſupport of his father-in-law, the earl of Leiceſter, who died the preceeding year; and who, though he was ſuppoſed to act the politician in preferring him to the queen's favour, (if, indeed, that was at all his work,) yet ſhewed the ſincerity of his affection to him by ſeveral clauſes in his will: notwithſtanding which loſs, he kept his ground at court, and, by careſſing Mr. Cartwright and others, looked upon as puritans, ſeemed to affect becoming the head of that party, which adhered to Leiceſter while living.

About this time he ran a new hazard of the queen's favour, by a private, and, as it was then conceived, inconſiderate match with Frances, only daughter of ſir Francis Walſingham, and the widow of ſir Philip Sydney; which her majeſty apprehended to be, in ſome meaſure, derogatory to the honour of the houſe of Eſſex; and though, for the preſent, this buſineſs was paſſed by, yet, it is thought, that it was not ſo ſoon forgot.

In 1591, Henry IV. of France, having demanded freſh aſſiſtance from the queen, though he had already a body of her troops in his ſervice, ſhe was pleaſed to ſend the earl of Eſſex, with four thouſand men, a ſmall train of artillery, and a competent fleet, into Normandy; where it was propoſed that he ſhould join the French army, in order to undertake the ſiege of Rouen. The French king, however, either through want of power, the diſtraction of his affairs, or ſome other cauſe, neglected to perform his promiſe, notwithſtanding that Eſſex made a long and hazardous journey to his camp, at that monarch's requeſt, in

der to have concerted meaſures for giving the queen ſatisfaction.

Upon his return from this journey, which proved of little conſequence, Eſſex, to keep up the ſpirit of his officers, conferred the honour of knighthood upon many of them:—A circumſtance with which the queen was much offended. He likewiſe made excurſions from his camp to the very walls of Rouen; and the earl, expoſing his perſon very freely in theſe ſkirmiſhes, came off indeed, unhurt himſelf, but loſt there his only brother, Walter Devereux, then in the flower of his age, being two years younger than the earl.

He returned ſome time after, to give an account of the ſtate of things to the queen; and then came back to his charge, the ſiege of Rouen being formed, and the French king expreſſing a great deſire to become maſter of it.

This winter ſervice harraſſing the troops exceedingly, provoked Eſſex not a little, who ſollicited king Henry for leave to proceed in his manner, promiſing to make a breach with his own artillery, and then to ſtorm the place with the Engliſh troops; which the king, however, refuſed, as being not at all deſirous of having that rich place taken and plundered by the Engliſh in his ſight.

Eſſex, ſtill more diſpleaſed at this, and reſolved not to continue in a place where no reputation was to be got, firſt challenged the governor of Rouen, Mr. Villars, and, upon his refuſing to fight, left the command of the Engliſh troops to ſir Roger Williams, an officer of great courage and experience; and then embarked for England, where his preſence was become very neceſſary, his enemies having repreſented his behaviour in a very indifferent light to the queen his miſtreſs.

It

It is very ſeldom that ſkilful courtiers are at a loſs in framing general accuſations againſt ſuch as they would ruin, more eſpecially if they have an opportunity of doing this in their abſence.

Againſt the earl of Eſſex, his enemies inſinuated, that, having carried a fine body of troops, under old and experienced officers, out of the kingdom, with a promiſe of great things; he had, nevertheleſs, done little or nothing: that, with ſome danger to himſelf, and much more to the troops, he had made a long journey to the French king; which ended in no more than an audience of compliment: that his fierce and haſty ſpirit had led him to thoſe uſeleſs and dangerous excurſions under the walls of Rouen, where he had loſt an only brother, the queen a gallant officer, and the nation a perſon infinitely beloved: that, whereas he was ſent abroad to ſerve his country, by reducing Rouen, which might ſerve as a place of arms, and a cautionary town for the ſecurity of Engliſh auxiliaries, he had ſuffered himſelf to be deceived by the French Monarch; had ſerved him in the accompliſhment of other deſigns, leaving this, for which he was ſent, uneffected: and, laſtly, that, notwithſtanding his troops had been very little in ſervice, they had ſuffered ſo much as not to be able to keep the field without recruits: ſo that, in all this time, the queen had been loſing her ſubjects, and acquiring nothing.

But the earl of Eſſex defended himſelf with great ſenſe and ſpirit againſt this accuſation. He ſhewed that the inaction of the troops upon their firſt going over, was a great affliction to him, but far from being his fault, as he was continually labouring to perſuade the king to comply with his agreement, and to undertake the ſiege of Rouen, which, if he could not bring about, it was far from

being a crime, though he knew it to be a misfortune: that, to remove this inaction, he made a hazardous journey to the king's quarters; in which he ſhewed his ſtrong deſire for accompliſhing what he was ſent for: that he had expoſed himſelf in thoſe excurſions as much as any man; and, as he was principally wounded by the loſs of his brother, ſo the credit of the nation, inſtead of ſuffering, was raiſed by that high eſteem which the French expreſſed of the bravery ſhewn by the Engliſh in thoſe encounters: that the aſſiſtance he had given the French king and his generals, was to remove thoſe obſtacles which prevented the ſiege: and which, if not removed, it had never been undertaken: that the loſs which the army had ſuſtained, was through the fortune of war, and not from any fault of his, ariſing chiefly from diſeaſes, great inclemency of the weather, and the want of thoſe conveniencies which the allies ought to have furniſhed, and which, notwithſtanding all the inſtances he could make, had been neglected.

At this time he was exceedingly courted by very different ſorts of people; for many of the young nobility, who were deſirous of entering into the world under the patronage of ſome eminent perſon, preferred the earl; as well on account of his great affability to his followers, as becauſe of his known intereſt with the queen. All the military men, that were not of very old ſtanding, looked upon him as their chief, and one from whoſe favour they were to derive preferment. The puritan miniſters alſo, and their dependants, conſidered him as the ſucceſſor to the earl of Leiceſter, and, conſequently, as their protector. One need not wonder, therefore, that, having ſuch power, he had ſo many enemies, and that

theſe ſhould gain advantages over him in his abſence: but upon his return, he triumphed for the moſt part; and the queen, who looked upon herſelf as tied to him by former acts of kindneſs, ſeldom refuſed him any new marks of favour, for which he was importunate in his demands.

We find him preſent in the parliament which began at Weſtminſter, February the nineteenth, 1592-3; in which ſeſſion, cheifly through his intereſt, ſir Thomas Perrot, who had married his ſiſter, was reſtored in blood, which had been corrupted by the attainder of ſir John Perrot, his father, who had been lord-deputy of Ireland: and in this ſeſſion it was that the houſe of peers paid a very extraordinary compliment to the earl of Eſſex.

About this time, alſo, the queen, who had given him ſo many marks of her favour, added to them a new honour, which was, at the ſame time, a very high teſtimony of her confidence, by cauſing him to be ſworn one of the members of her moſt honourable privy-council.

He met, however, in this, and in the ſucceeding years, with various cauſes of chagrin; partly from the loftineſs of his own temper, but chiefly from the artifices of thoſe who envied his great credit with the queen, and were deſirous of reducing his power within bounds.

Occaſion was taken, in this reſpect, from a dangerous and treaſonable book, written abroad by Perſons the jeſuit, and publiſhed under the name of Doleman, with intention to create diſſention in England about the ſucceſſion to the crown; which book, as the whole deſign of it was moſt villainous, ſo, from a ſuperior ſpirit of malice, it was dedicated to the earl of Eſſex, on purpoſe to create him trouble; in which it had its effect.

But what chiefly grieved and broke his ſpirits, or, rather, ſowred them, was his perceiving plainly, that, though he could, in moſt ſuits, prevail for himſelf, yet he was able to do little or nothing for his friends, as particularly appeared in the caſe of ſir Francis Bacon; which, though the earl bore with ſome impatience, yet it gave him an opportunity of ſhewing the greatneſs of his mind, by giving that gentleman a ſmall eſtate in land, which ought to have bound him better to his fortunes.

Indeed, the earl of Eſſex was never wanting, upon any occaſion, to his friends, as many of the writers of thoſe times agree, and of which Camden gives a remarkable inſtance in the year 1595, in his attending the funeral of ſir Roger Williams, an old experienced officer whom he had long encouraged and ſupported; though the roughneſs of his behaviour had expoſed him to the diſlike of ſir Walter Ralegh, and other conſiderable perſons. But whatever diſadvantages Eſſex might labour under from intrigues at court, yet, in times of danger, the queen had commonly recourſe to his aſſiſtance.

Thus, in 1596, when the Spaniards, in the month of April, laid ſiege to Calais, and the diſcharges of their batteries were heard at Greenwich, an army was haſtily raiſed, and marched to Dover, the command of which was given to the earl of Eſſex, the queen intending to have embarked theſe troops for the aſſiſtance of the French; which, however, they wiſely declined, being willing rather to let the Spaniards keep Calais for a little while, than ſee it reſcued from them by the Engliſh, who would, preſuming on their old rights, probably keep it for ever.

The

The queen, however, taking advantage of that warm diſpoſition which appeared in her people, to contribute, as far as in them lay, to keep the war at a diſtance, and to prevent the Spaniards from meditating a ſecond invaſion, ordered a fleet to be equipped for attacking Cadiz, beſt part of the expences being born by the principal perſons engaged in that enterprize.

The command of this army and fleet was, with joint authority, intruſted to Robert, earl of Eſſex, and Charles, lord Howard, then lord high admiral of England; with whom went many of the moſt diſtinguiſhed officers, both for the land and ſea ſervice, that were then in England; the council being compoſed of lord Thomas Howard, ſir Walter Ralegh, ſir Francis Vere, ſir George Carew, and ſir Conyers Clifford; the fleet, for its number of ſhips, and for the land ſoldiers and mariners aboard, being the moſt conſiderable that, in thoſe times, had been ſeen.

On the firſt of June they ſailed from Plymouth, but were forced to put back by a contrary wind, which changing, they took the firſt opportunity of putting again to ſea. On the eighteenth of the ſame month they arrived at Cape St. Vincent, where they met with an Iriſh bark, which informed them that the port of Cadiz was full of ſhips, and that they had no notice whatever of the ſailing of the Engliſh fleet, or that ſuch an expedition was ſo much as intended.

After this welcome news they purſued their voyage, and, on the twentieth, in the morning, they anchored near St. Sebaſtian's, on the weſt ſide of the iſland of Cadiz, where the admiral would have had the forces debarked, in order to their immediately attacking the town; which Eſſex cauſed to be attempted, but found to be impracti-

cable, and upon the advice of ſir Walter Ralegh, deſiſted. Camden, indeed, charges this raſhneſs upon Eſſex, but ſir Walter Ralegh, who is certainly better authority in this point, ſtates it the other way.

It was then propoſed by the earl to begin with attacking the fleet, which was a very hazardous enterprize, but, at laſt, agreed to by the lord admiral; of which when Eſſex received the news, he threw his hat into the ſea for joy. The next day, this gallant reſolution was executed with all imaginable bravery, and, in point of ſervice, none did better, or hazarded his perſon more, than the earl of Eſſex, who, in his own ſhip, the Due Repulſe, went to the aſſiſtance of ſir Walter Ralegh, and offered, if it had been neceſſary, to have ſeconded him in boarding the St. Philip.

The Spaniards behaved very gallantly, ſo long as there were any hopes; and, when there were none, ſet fire to their ſhips and retired.

The earl of Eſſex then landed eight hundred men at the Puntall, and, having firſt taken proper meaſures for deſtroying the bridge, next attacked the place with ſo much fury, that it was quickly taken; and, the next day, the citadel ſurrendered upon a capitulation, by which a great ranſom was ſtipulated for the town. An offer was then made of two millions of ducats to ſpare the ſhips, and more might have been obtained; but the lord admiral ſaid, He came there to conſume, and not to compound; of which when the Spaniards were informed, they reſolved to have the burning of their own fleet, which they accordingly ſet on fire; their loſs by which was computed at twenty millions.

The earl was very deſirous of keeping Cadiz, which he offered to have done with a very ſmall garriſon; but the council differed from him in opinion;

nion: ſo that, having plundered the iſland and demoliſhed the forts, they embarked on the fifth of July, and bore away for the port of Farro, in Algarve, which they plundered and deſtroyed. Thence they proceeded to Cape St. Vincent, and, being driven by a briſk wind out to ſea, it fell under conſideration, whether they ſhould not ſail for the Azores, in hopes of intercepting the Plate fleet, which was carried in the negative; and the earl's propoſal, with two of her majeſty's ſhips, and ten others, to make this attempt, was rejected likewiſe: which Mr. Camden attributes to the deſire of ſome of the officers, who had made large booties, to get their treaſure ſafe on ſhore. They looked in, however, at Corunna, and the earl would have then proceeded to St. Andero and St. Sebaſtian; but others thinking they had done enough, the fleet returned proſperouſly to Plymouth on the eighth of Auguſt following; and the earl, with his ſquadron, two days after.

He was very well received by the queen, and highly applauded by the people; but, as it was too common with him, not entirely ſatisfied in himſelf; which induced him to write, at a time when ſome faults were imputed to him, a kind of narrative of this exploit, and a cenſure upon other mens conduct; which gained him little credit, and did him leſs good.

Yet, whatever might be the ſentiments of the wiſer part of the court, it appears plainly that, upon his return from this expedition, the earl of Eſſex ſtood very high in favour of the queen and of the nation; and, perhaps, it might have gained him an acceſſion of favour with the former, if the earl had not enjoyed ſo much of the latter, or had ſeemed to value it leſs than he did: but, as he had little of diſſimulation in his temper, ſo the warmth

warmth with which he diſcovered either his affection or diſlike, expoſed him continually to the ſiniſter practices of his enemies, who were thoroughly ſkilled in thoſe arts which he knew leaſt about.

They inſinuated, therefore, to the queen, that, conſidering the earl's popularity, it would not be at all expedient for her ſervice to receive ſuch as he recommended to civil employments; and this they carried ſo far as to make even his approbation deſtructive to mens fortunes, whom they had encouraged and recommended themſelves:—A thing hardly to be credited, if we had not the higheſt evidence to prove it.

It was a natural conſequence, that the earl, who wanted not penetration enough to ſee, or ſpirit to reſent this, ſhould behave towards thoſe he took to be the authors of ſuch counſels with viſible marks of anger and diſcontent; and this conduct of his made him frequently upon bad terms even with the queen herſelf, who was a princeſs very jealous of her authority, and, in caſes of this nature, bore but very indifferently with any expoſtulations. However, as well out of her natural kindneſs to him, as from a deſire of ſhewing a juſt acknowledgment for his late ſervice, ſhe was pleaſed, on the nineteenth of March, 1597, to appoint him maſter of the ordnance by patent.

This ſeems to have had a good effect, in quieting the mind, and raiſing the ſpirits of this great nobleman, who, upon the report that the Spaniards were forming a new fleet at Ferrol and Corunna, for the invaſion of Ireland at leaſt, if not England, readily offered his ſervice to the queen, and chearfully declared, as Camden aſſures us, that he would either defeat this new armada, which had threatened England for a year together, or periſh

in

in the attempt, as one willingly devoted for the ſervice of his country.

The queen, well pleaſed with this propoſal, gave it all the countenance that could be deſired, and cauſed a conſiderable fleet, though not ſo conſiderable as the action required, to be equipped for this ſervice. The earl of Eſſex was appointed general, admiral, and commander in chief; the lord Thomas Howard, vice, and ſir Walter Ralegh, rear-admirals: the lord Montjoy was lieutenant-general of the land forces, and ſir Francis Vere marſhal.

We may gueſs at the intereſt which the earl had in the ſucceſs of this voyage by the number of his friends who engaged therein as volunteers; and, amongſt them of the nobility were the earls of Rutland and Southampton, and the lords Cromwell and Rich. His ſanguine hopes, however, were, in ſome meaſure, diſappointed; for, ſailing about the ninth of July, from Plymouth, they met at ſixty leagues diſtance with ſo rough a ſtorm, and of four days continuance, that they were obliged to put back to Plymouth, where they remained wind-bound for a month, in which time a great part of their proviſions was conſumed.

While the fleet was thus laid up, the earl of Eſſex and ſir Walter Ralegh, ſet out poſt for the court, in order to receive freſh inſtructions. The propoſals made by Eſſex, even after this diſappointment, were very bold and great; but, as Camden ſeems to inſinuate, very difficult and dangerous, if not impracticable; ſo that the queen would not countenance his projects, but rather left the direction of the expedition to the commanders in chief, according as the ſeaſon and circumſtances might encourage or permit. The ſame hiſtorian, and almoſt all who have written upon this ſubject

after

after him, ſpeaks of an old miſunderſtanding between Eſſex and ſir Walter before they left England, which was productive of moſt of the miſchiefs that afterwards happened; which there is good reaſon, however, to believe a groundleſs imputation upon both.

There ſeem to be few opinions better founded than that which, with due caution, admits the private letters of perſons of good ſenſe and experience, written at the time when things were tranſacted, to be the beſt documents for ſuch points, either of public or of private hiſtory, as are not likely to be generally known with the ſame degree of certainty as facts of another ſpecies.

Amongſt other papers of a very curious and inſtructive nature, which have been publiſhed lately in a very valuable collection, are the letters of Rowland White, eſq. to ſir Robert Sydney, at that time governor of Fluſhing. Mr. White was ſir Robert's agent at court; and from theſe letters it appears, that the nobleman, on whoſe favour ſir Robert chiefly relied, was the earl of Eſſex: ſo that we cannot well have better authority, in reference to what paſſed at court in thoſe days, than the informations of this gentleman, concerned to make the cloſeſt enquiries he could, and bound in honour to relate what proved the reſult of them with the utmoſt fidelity.

We learn from him, that, in the beginning of the year 1597, there were great intrigues at court, where ſecretary Cecil was the moſt favoured counſellor, had long private conferences with the queen, and retarded or advanced mens ſuits at his pleaſure. Eſſex at this time was in ſome diſcontent, though a great favourite likewiſe, and kept or was ſaid to keep his bed, when he was not very ſick; receiving frequent meſſages from the queen, and having alſo private audiences,

In

In the beginning of the month of March, ſir Walter Ralegh had ſeveral private interviews with the earl, in order to bring about a good underſtanding between him and the ſecretary, which he urged would have ſeveral good conſequences; ſuch as, making the queen eaſy, removing a great obſtacle in the management of public affairs, and contributing not a little to forwarding the ſchemes concerted for humbling the common enemy.

It is eaſy to ſee from hence, that there could be no pique between the earl and ſir Walter Ralegh; for if there had, ſir Robert Cecil was too wiſe a man to have employed him.

While this treaty was in negotiation, there was a competition for the office of warden of the Cinque Ports, ſir Robert Cecil ſupporting the new lord Cobham, and the earl of Eſſex recommending ſir Robert Sydney firſt, and, finding that would not do, ſtanding for it himſelf; upon which it was propoſed that he ſhould accept of the maſterſhip of the ordnance; which he did. Soon after this, ſir Henry Leigh was, at the recommendation of the earl of Eſſex, made knight of the garter; and the earl concurred in promoting the lord Borows to the government of Ireland.

In May, the treaty was in a manner concluded: the earl, by mediation of ſir Walter Ralegh, was reconciled to the ſecretary, and they concerted together all the meaſures preparatory to the iſland expedition: and from the ſame letters we learn, that ſir Walter Ralegh, who was entruſted with the care of victualling the fleet, had been remarkably civil to the earl of Eſſex, in what related to the proviſion of his own ſhip; and, when they were obliged to return by contrary winds, Mr. White repreſents their coming to London together, as the effects of their perfect intelligence, and does not

not give the leaſt hint of any variance between them.

As ſoon as the fleet was repaired, and the land forces were debarked that, by the queen's command, were to remain at home, they ſailed again from Plymouth on the ſeventeenth of Auguſt; having now two points in view, the one to burn the Spaniſh fleet in their own harbours, the other to intercept the ſhips they expected from the Weſt-Indies.

Camden blames Eſſex for appearing openly within ſight of the Spaniſh coaſt, and thereby alarming the enemy; but ſir William Monſon acquaints us with the true reaſon of the earl's conduct; which was, by making a ſhow of a few ſhips, to draw out the enemy's fleet, it being found impoſſible to burn them in port. He alſo inſinuates, that ſir Walter Ralegh kept at a diſtance from the fleet; which was another diſcouragement: but, from the beſt accounts we have, this alſo appears to be a groundleſs imagination.

Sir Walter is afterwards ſaid to have ſeparated from the fleet by deſign, under pretence of repairing his ſhip; but ſir William Monſon tells us plainly, that this ſeparation was owing to an involuntary miſcarriage in Eſſex himſelf. When they joined again at the iſlands, it appears plainly that Eſſex and Ralegh were very good friends, notwithſtanding there were ſome, on both ſides, who laboured allthey could to incenſe them againſt each other.

When they had refreſhed at Flores, Eſſex commanded Ralegh to ſail for Fayall, which he intended to attack with the whole fleet; but ſir Walter coming there firſt, and apprehending that the ſmalleſt delay might have prevented their deſign, very gallantly attacked, and very happily ſucceeded,

ſucceeded, in making himſelf maſter of the iſland before the arrival of Eſſex with the reſt of the fleet. This gave occaſion to ſir Walter's enemies to repreſent his vigilance and activity in the light of diſobedience and contempt to Eſſex, which occaſioned very high diſputes; but, by the interpoſition of lord Thomas Howard, all things were compromiſed; ſir Walter excuſed what had happened to the earl, and the earl accepted his excuſe.

As the relations of this, which is called The Iſland voyage, already publiſhed, are very exact, and in themſelves larger than this whole life, it cannot be expected that we ſhould enter here into all the other particulars of this voyage; we ſhall therefore content ourſelves with obſerving, that, notwithſtanding the Spaniſh fleet eſcaped, and ſome other untoward accidents happened, in which the earl was not altogether without blame, yet three ſhips from the Havannah, the cargoes of which amounted to near one hundred thouſand pounds, were taken; by which, the beſt part of the expences of the undertaking were defrayed, and ſo the fleet returned to England towards the cloſe of October.

In reſpect to what Camden ſuggeſts, that, after their arrival in England, Eſſex and Ralegh accuſed each other, by which great diſturbances were occaſioned, there is ſome reaſon to doubt the matter of fact, and to believe they were both wiſer men, and knew their reſpective intereſts better than to act in ſuch a manner. It is true that the earl of Eſſex, upon his return from the iſland voyage, ſhewed evident ſigns of deep diſpleaſure, retired to his houſe at Wanſtead, and, under pretence of ſickneſs, abſented himſelf from the ſervice of parliament then ſitting: and it is alſo very true which Camden reports, that his diſſatisfaction aroſe from the lord admiral's being created earl of Nottingham

tingham in his abſence, with ſome particular clauſes in the preamble of his patent, which, as they were highly honourable for that noble peer, Eſſex conceived threw ſome diſparagement upon himſelf. But, as to what the ſame hiſtorian inſinuates, that he was no leſs diſpleaſed that ſir Robert Cecil was advanced to be chancellor of the duchy of Lancaſter, becauſe he conſidered him as his principal antagoniſt, and a faſt friend to ſir Walter Ralegh; there is ſome reaſon to queſtion that the firſt was the great, if not the ſole cauſe of the earl's diſquiet; that his diſtaſte was very far from being peeviſh or unreaſonable; and, that thoſe who are reputed to have been his greateſt enemies, were, in reality, the very perſons that procured this noble perſon the ſatisfaction he deſired.

This ſatisfaction conſiſted in creating the earl of Eſſex earl-marſhal of England; which was done on the twenty-eighth of December, 1597; and he took his place in parliament accordingly on Wedneſday the eleventh of January following: but, whereas Camden reports, that this office had been ſuppreſſed, or lain dormant, from the death of the earl of Shrewſbury; from whence it might be inferred, that it was a very extraordinary thing for the queen to be drawn to this promotion, it is clearly a miſtake; the earl of Eſſex ſitting, in this very parliament, as earl-marſhal, and having precedence accordingly. We may add to this, that Camden himſelf had occaſion to conſider this point of the ſucceſſion, power, and prerogative of the earls marſhal of England, very cloſely; nor is it at all improbable, that it was, upon this very occaſion; for the earl of Eſſex is the laſt marſhal mentioned in his liſt, and he ſhews very fully his hereditary claim to that great honour.

It

It is generally agreed, that this noble perſon had nothing of diſſimulation in his nature; and therefore, having obtained this new favour of the queen, he was perfectly well pleaſed, and very readily promiſed ſir Robert Cecil, ſecretary of ſtate, who was appointed to execute a commiſſion of great importance to the French king, that nothing to the prejudice of his intereſt ſhould be done in his abſence, without which promiſe the ſecretary would not have gone: and this he not only performed with the utmoſt punctuality, but even diſcharged the ſecretary's buſineſs, in his abſence, with the utmoſt care and vigilance; and all this time no quarrels with ſir Walter Ralegh, or ſo much as the leaſt coldneſs: on the contrary, ſir Walter knowing that the earl had engaged himſelf to his relation ſir Robert Sydney, in reference to the poſt of vice-chamberlain, which was then vacant, he declined ſolliciting for it purely out of reſpect to Eſſex. But, in the month of May, 1598, ſir Robert Cecil returning to England with new notions in relation to the peace, he quickly aroſe freſh diſputes in the council about the expediency of that meaſure, which was very earneſtly, as well as eloquently preſſed by the old and wiſe lord treaſurer Burleigh; and as warmly decried by the earl of Eſſex, who wanted not very plauſible reaſons in ſupport of what he ſaid. The treaſurer, at length, grew into a great heat; inſomuch that he told the earl of Eſſex, that he ſeemed to be intent upon nothing but blood and ſlaughter. The earl explained himſelf upon this, that the blood and ſlaughter of the queen's enemies might be very lawfully his intention: that he was not againſt a ſolid, but a ſpecious and precarious peace; that the Spaniards were a ſubtle and ambitious people, who had contrived to do England

more miſchief in time of peace than of war; and that as to an enemy, whoſe hands it was impoſſible to bind by treaty, it was better not to tie up our own. The treaſurer at laſt drew out a Prayer-book, in which he ſhewed Eſſex this expreſſion, "Men of blood ſhould not live out half their "days." Yet Camden, from whom we have all this, acknowledges, that many thought the arguments of Eſſex had weight; and that, in reality, his chief concern was for the honour and happineſs of his native country, which he thought might be better promoted by an open war, which would always keep the king of Spain's hands full at home; than by an unſteady peace, which might give his catholic majeſty time to recover his ſucceſſive loſſes, and allow him leiſure alſo to practiſe his uſual arts for weakening us.

As the earl knew well enough, that various methods would be uſed to prejudice the common people againſt him, more eſpecially ſuch as in any degree got their living by trade, or thought themſelves oppreſſed by the taxes levied for the ſupport of the war, he reſolved to write a vindication of his own proceedings, and to deliver his own arguments, with all the advantages that his own pathetic eloquence could give them; which he addreſſed to his dear friend Anthony Bacon, and which ſtill remains a memorial of his great virtues and admirable abilities.

About this time died the lord treaſurer Burleigh; which was a great misfortune to the earl of Eſſex, ſince the remembrance of his father, the truſt repoſed in him by committing this his eldeſt ſon to his care, and the reſpect and obedience which had been ſhewn him by the young lord for ſeveral years, preſerved in him a tenderneſs for his perſon, and a real concern for his fortunes: but,

but, when that great counſellor was gone, thoſe who hated the earl, acted without reſtraint, croſſed whatever he propoſed, ſtopped the riſe of every man he loved, and treated all his projects with an air of ſupercilious contempt, except one which they thought would be his ruin.

By the death of the lord-treaſurer Burleigh, the chancellorſhip of the univerſity of Cambridge became vacant; upon which, as the higheſt mark of their reſpect poſſible, that learned body choſe the earl of Eſſex in his room. Upon this account he went down to pay them a viſit, was entertained at Queen's College with great magnificence; and, as a proof of their affection, the room in which he lay was, long after, diſtinguiſhed by the name of Eſſex-chamber.

We may account this one of the laſt inſtances of this great man's felicity, for he was now advanced too high to ſit at eaſe; and thoſe who longed for his honours and employments, very buſily ſtudied how they might bring about his fall.

The firſt great ſhock he had given him in the queen's favour, was on the ſcore of the perſon he propoſed to be ſent over to Ireland, before he was drawn to have thoughts of going thither himſelf; and though, in appearance, he was reconciled and reſtored to the queen's favour, yet there is good reaſon to doubt whether it was ever recovered in reality; or, at leaſt, to the degree in which he formerly held it.

An event happened much about this time, which ſhewed the ſentiments the enemies of England had of this noble perſon, and ought therefore to have endeared him to ſuch as had a real affection for their country: there was one Edward Squire ſeized and impriſoned for treaſon, and his

caſe came out to be this; he had been a groom in the queen's ſtables, went afterwards to ſea with ſir Francis Drake, was taken priſoner and carried to Spain, where he was perſuaded by a jeſuit to undertake poiſoning the earl of Eſſex, and afterwards queen Elizabeth; for performing which he had poiſon given him in a bladder. He found means to rub this, as he was directed, upon the pommel of the queen's ſaddle; got himſelf afterwards recommended to ſerve on board the earl's ſhip in the iſland voyage, where, in like manner, he poiſoned both the arms of his great chair; yet no effect followed in either caſe. Upon this, the Spaniſh jeſuit, ſuſpecting the man and not his drug, cauſed information to be given in England againſt Squire, who, finding himſelf betrayed by his confeſſor, opened the whole ſcene, and plainly acknowledged his endeavours to diſpatch both the queen and the earl; for which he was deſervedly executed.

The miſeries of Ireland continued all this time, or rather increaſed; and, when propoſals were made, in the queen's council, for ſending over a new governor, with certain reſtrictions; Eſſex took occaſion of ſhewing, that nothing had been hitherto ſo expenſive as an ill-timed frugality; and, that the Iriſh rebels had been the only gainers by the reſtraint put upon the Engliſh deputies.

Thoſe who hated this noble perſon, were not diſpleaſed when they found him in this diſpoſition, and, at length, took, in their turn, occaſion from his objections, to ſuggeſt, that the total reduction of that iſland was to be expected from none but himſelf; which, at firſt, he declined; but perceiving that he could enjoy little quiet or comfort at home; that it was with difficulty he maintained his credit; and that, by failing the expectations of

his

his friends, he ſhould gradually loſe them, he conſented to accept that fatal preferment, and agreed to go over into that kingdom, which had been the grave of his father's fortunes, and which his beſt friends foreſaw would prove the gulf of his own. It is indeed true that he had a great army granted him, and that due care was taken for the payment of it; that his powers were very large, and his appointments very great; but theſe were obtained with many ſtruggles, and notice was taken of every thing he promiſed, or ſeemed to promiſe, in order to obtain them; and, when all things were regulated, he was ſo far from going with alacrity, as to a place which he had ſought, and to a command which he meditated for the ſake of greater things, that he ſeemed rather to look upon it as a baniſhment, and a place aſſigned him to retreat from his ſovereign's preſent diſpleaſure, rather than a potent government beſtowed upon him by her favour.

The truth of this may be not only probably collected, but in ſome meaſure proved, from an epiſtle of his to the queen, written after his appointment to the government of Ireland, and before his going thither, of which there is a very imperfect copy in the Cabala; but that loſs is now ſupplied, by the following full and correct tranſcript of that valuable and authentic paper, from the collections in the Harleian library. If we conſider the earl's character, and how incapable he was of diſſembling, the weight of this evidence will be the greater: but, without taking in that, the very ſtile of the letter is ſuch as will put all ſuſpicion of artifice out of the caſe; which will teach the reader what to think of the declaration of his treaſons, that ſtands entirely upon this bottom, that he had plotted a revolution in England

before he went to Ireland; and deſired the lieutenancy that he might put himſelf at the head of an army, and enter into a confederacy with the rebels.

" To the Queen.

" FROM a mind delighting in ſorrow; from " ſpirits waſted with paſſion; from a heart torn in " pieces with care, grief and travail; from a man " that hateth himſelf, and all things elſe that keep " him alive; what ſervice can your majeſty ex- " pect, ſince any ſervice paſt deſerves no more " than baniſhment and proſcription to the cur- " ſedeſt of all iſlands? It is your rebels pride " and ſucceſſion muſt give me leave to ranſom " myſelf out of this hateful priſon, out of my " loathed body; which, if it happen ſo, your " majeſty ſhall have no cauſe to miſlike the faſhion " of my death, ſince the courſe of my life could " never pleaſe you.

" Happy he could finiſh forth his fate
" In ſome unhaunted deſert, moſt obſcure
" From all ſociety, from love and hate
" Of worldly folk; then ſhould he ſleep ſecure;
" Then wake again, and yield God ever praiſe;
" Content with hips, and haws, and brambleberry;
" In contemplation paſſing out his days,
" And change of holy thoughts to make him " merry:
" Who, when he dies, his tomb may be a buſh,
" Where harmleſs Robin dwells with gentle " Thruſh."

" Your majeſty's exiled ſervant,

" ROBERT ESSEX."

On

On the twelfth of March, 1598, his commiſſion for lord lieutenant paſſed the great-ſeal; and, on the twenty-ſeventh of the ſame month, about two in the afternoon, he ſet out from Seething-lane, and paſſing through the city in a plain habit, accompanied by many of the nobility, he was attended by vaſt crowds of people out of town; and it was obſerved, with a view, perhaps, to prepare the world to have a bad opinion of his conduct, that the weather was exceeding fair when he took horſe, but, by that time he came to Iſlington, there was a heavy ſtorm of rain, attended with thunder and lightning. The like bad weather he met with at ſea, ſo that he did not arrive at Dublin, or take upon him his charge, before the fifteenth of April, 1599.

He found things in that country in a ſtate very different from what he expected, and perceived that there was nothing to be done, at leaſt to any purpoſe, till he was well acquainted with the country in which he was to act. He found, likewiſe, that the new-raiſed men he had brought over were altogether unfit for action, till they were ſeaſoned to the country, and well acquainted with diſcipline.

Theſe conſiderations hindered him from marching directly to Ulſter, for fear Tir-Oen ſhould make any advantage of his weakneſſes; and the council deſiring that he would ſuppreſs ſome diſorders in Munſter, he thought that a fair occaſion of exerciſing his new troops, and did it effectually.

On his return to Dublin, that very day two months on which he received the government, he wrote a letter to the queen, containing a free, fair, and full repreſentation of the ſtate of things in that country; which moſt admirable performance pointing out all the ſteps that were afterwards

taken, and by which his ſucceſſor made an end of the war, remains upon record in Ireland; but, of the contents thereof, not a ſyllable is mentioned in Camden or the reſt of our hiſtorians. This letter he ſent over to the queen by his ſecretary, in hopes that from thence ſhe might have derived a juſt notion of the ſtate of things in that iſland; but it produced no ſuch effect: on the contray, the queen was exceedingly provoked that he had not marched into Ulſter, in order to attack Tir-Oen, and repeated her orders upon that head in very ſtrong terms.

Before theſe arrived, Sir Henry Harrington, with ſome of the freſh troops, had been worſted by the O Brians; which ſo provoked Eſſex, that he cauſed the remains of thoſe troops to be decimated; which, with the throwing a ſoldier over-board in his laſt expedition, with his own hands, are the only inſtances of ſeverity recorded of him.

When he received the queen's orders, and was on the point of marching into Ulſter, he was prevailed upon to enter the country of Ophaly, to reduce the O Connors and the O Moores; which he performed: but his troops were ſo harraſſed and diminiſhed thereby, that, with the advice and conſent of the council of Ireland, he wrote home for a recruit of two thouſand men.

In the midſt of theſe croſſes in Ireland, an army was ſuddenly raiſed in England, under the command of the earl of Nottingham; no-body well knowing why: but, in reality, from the ſuggeſtions of the earl's enemies to the queen, that he rather meditated an invaſion on his native country, than the reduction of the Iriſh rebels.

At length, Eſſex, intending for Ulſter, ſent orders to Clifford, who commanded in Connaught, to march towards the enemy on that ſide, that Tir-

Oen

Oen might be obliged to divide his forces; which was executed, but with ſuch ill fortune, that the Engliſh, being ſurprized, were beaten, with the the loſs of their commander in chief, together with ſir Alexander Ratcliffe, and one hundred and forty men.

Upon the arrival of the ſuccours which he had demanded, the lord-lieutenant marched, through with a ſmall force, againſt Tir-Oen, in the latter end of the month of Anguſt; but, on the eighth of September following, was prevailed upon to confer with him alone at the ford of Ballaclynch; and afterwards with counſellors on both ſides, when he concluded a truce for ſix weeks, and ſo from ſix weeks to ſix weeks, till May; provided that, on a fortnight's notice, either party might be at liberty to reſume the war.

He was led to this by the weak and deſperate reſolution he had taken of returning to England, whither he had once ſome thoughts of tranſporting a body of his forces, but was diſſuaded from it by his friends. However, upon receiving a ſharp letter, directed to him and the council, from the queen, he determined to ſtay no longer, ſettled the government in the beſt manner he could, and, with a few of his friends, came over to England.

He arrived before any notice could be received of his deſign; went directly to the court at Nonſuch, and preſented himſelf to the queen on the twenty-eighth of September, where he met with a tolerable reception; but was, ſoon after, committed, treated with a mixture of kindneſs and ſeverity, till, upon his abſolute ſubmiſſion, he was brought before ſome of the privy-council; ſeverely reprimanded, diſmiſſed from the board, ſuſpended from the exerciſe of all his great offices, except that of maſter of the horſe, and committed to a keeper,

keeper, ſir Richard Barkley, who was, not long after, withdrawn.

Such was the iſſue of the queen's reſentments: as for what happened afterwards, it was the effects of his own ill conduct, wrought up to a degree of madneſs from the artifices of his ſubtle enemies.

In the ſummer of the year 1600, he recovered his liberty; and, in the autumn following, he received Mr. Cuffe, who had been his ſecretary in Ireland into his councils; who laboured to perſuade him, that ſubmiſſion would never do him any good; that the queen was in the hands of a faction, who were his enemies; and, that the only way to reſtore his fortune, was to find the means of obtaining an audience, in which he might be able to repreſent his own caſe, let that means be what it would. The earl heard this dangerous advice without conſenting to it, till he found there was no hopes of getting his farm of the ſweet wines renewed: then, it is ſaid, that, giving looſe to his paſſion, he let fall many vehement expreſſions; and, among the reſt, this fatal reflection, That the queen grew old and cankered, and that her mind was as crooked as her carcaſe. Camden ſays that this was aggravated by ſome of the court ladies, whom he had diſappointed in their intrigues.

The earl of Clarendon ſeems to ſuſpect the truth of it, but another great hiſtorian, who knew all the paſſages of thoſe times well, is more clear in this reſpect.

Thoſe enemies who had exact intelligence of all he propoſed, having provided effectually againſt the execution of his deſigns, hurried him upon his fate by a meſſage ſent on the evening of the ſeventh of February, requiring him to attend the council; which he declined. He then gave out that they ſought his life, kept a watch in Eſſex-houſe all night,

night, and ſummoned his friends, for his defence, the next morning.

The queen, being informed of the great reſort of people of all ranks to the earl, ſent the lord-keeper Egerton, the earl of Worceſter, ſir Francis Knolles, (his uncle by the mother's ſide) and the lord-chief-juſtice Popham, to know his grievances; whom, after a ſhort and ineffectual conference, he confined; and then, attended by the earls of Rutland and Southampton, the lord Sands, the lord Monteagle, and about two hundred gentlemen, he went into the city, where the earl of Bedford, the lord Cromwell, and ſome other gentlemen joined him; but his dependance on the populace failed him; and ſir Robert Cecil prevailing upon his brother, the lord Burleigh, to go with ſir Gilbert Dethick, then king at arms, and proclaim Eſſex and his adherents traitors, in the principal ſtreets, the earl found it impoſſible to return to his houſe by land; and, therefore, ſending ſir Ferdinando Gorges before to releaſe the chief-juſtice, who, for his own ſake, thought fit to extend that order to the reſt of the privy-counſellors; the earl, with his principal attendants, returned in boats to Eſſex-houſe; which was quickly inveſted by the earl of Nottingham, lord-admiral, with a great force; to whom, after many diſputes, and ſome blood ſpilt, he and his adherents at laſt ſurrendered.

Eſſex was carried that night to the archbiſhop of Canterbury's palace at Lambeth, with the earl of Southampton, and the next day they were ſent to the Tower.

On the nineteenth of the ſame month, they were arraigned before their peers, and, after a long trial, they were found guilty, and ſentence of death pronounced by the lord Buckhurſt, who

who ſat as lord-high-ſteward. Upon this melancholy occaſion, all that Eſſex ſaid was, "If her "her majeſty had pleaſed, this body of mine might "have done her better ſervice; however, I ſhall be "glad if it may prove ſerviceable to her any way."

After he was remanded to the Tower, there were great pains taken to draw from him very large and full confeſſions; which was the more eaſy, as he was truly and ſincerely pious; and, after he was once perſuaded, that his project was of a treaſonable nature, he made it a point of conſcience to diſcloſe all he knew, though it was highly prejudicial to his friends, and could do no good to himſelf; and, indeed, he did not appear either to deſign or deſire it. Two reaſons ſeem eſpecially to have moved ſuch as ſet on foot theſe practices, by which the honeſty of Eſſex was rendered fatal even to his laſt breath; and they were ſuch as became politicians, who had nothing but ſelf-intereſt in view; which, if they could promote, they had not either conſideration or pity for others. The firſt was, that, by his proper confeſſion, they might effectually eſtabliſh the truth of his plot, increaſe the number of its circumſtances, heighten the apparent danger of its conſequences, and thereby furniſh plentiful materials for proclamations, ſermons, and declarations; which might remove from the unhappy earl all means of obtaining mercy; excite in the queen the utmoſt horror; and, at the ſame time, terrify her with diſmal apprehenſions, while the nation in general was aſtoniſhed, and their affection for the unhappy earl cooled, or, at leaſt, confounded. In all which, for a time, they gained their end.

The other motive was finding out evidence againſt the chief of his adherents, many of whom were of great quality, and ſome alſo of great fortune,

tune, whom they meant to let eſcape out of the briars, provided nevertheleſs that they left their fleeces behind them; in which they were likewiſe but too ſucceſsful, rendering highly profitable to themſelves that clemency which their royal miſtreſs would have extended freely.

Camden adds to this another circumſtance, which wants explaining, he ſays, that he diſcovered many in Scotland, France, and the Low-Countries, who were embarked with him; beſides others in England, and the lord Montjoy, who ſucceeded him in the government of Ireland; ſo that their numbers obliged the queen to diſſemble what ſhe knew. He adds, that he gave a confeſſion under his hand, which his enemies ſhewing to king James ſome time after, brought him and his friends into great diſeſteem with that prince.

After drawing out of Eſſex all that he could ſay, and thereby rendering death more deſireable to him than life, the twenty-fifth of February was fixed for his execution; as to which the queen was irreſolute to the very laſt; ſo that ſhe ſent ſir Edward Cary to countermand it: but, as Camden ſays, conſidering afterwards his obſtinacy, his refuſing to aſk her pardon, and declaring that his life was inconſiſtent with her ſafety, ſhe countermanded theſe orders, and directed he ſhould die.

There is a ſtrange ſtory current in the world about a ring, which the earl of Clarendon ſtiles a looſe report, that crept into diſcourſe ſoon after his miſerable end; yet a foreign writer, of great reputation, gives us this as an undoubted truth, and that upon the authority of an Engliſh miniſter, who might be well preſumed to know what he ſaid; and therefore, in the words of that writer, we ſhall report it.

" The

But to the point; the chevalier Louis Aubery de Maurier, who was many years the French miniſter in Holland, a man of great parts and unſuſpected veracity, delivers this tale in the following words:

"It will not, I believe, be thought either impertinent or diſagreeable to add here what prince "Maurice had from the mouth of Mr. Carleton, "embaſſador from England in Holland, who died "ſecretary of ſtate; ſo well known under the "name of my lord Dorcheſter, and who was a "a man of merit. He ſaid, that queen Elizabeth "gave the earl of Eſſex a ring, in the height of "her paſſion for him, ordering him to keep it, "and that whatever he ſhould commit, ſhe would "pardon him, when he ſhould return that pledge. "Since that time, the earl's enemies having pre"vailed with the queen, who beſides was exaſ"perated againſt him for the contempt he ſhewed "her beauty, which, through age, began to de"cay, ſhe cauſed him to be impeached.

"When he was condemned, ſhe expected that "he would ſend her the ring, and would have "granted him his pardon according to her pro"miſe. The earl, finding himſelf in the laſt ex"tremity, applied to admiral Howard's lady, who "was his relation, and deſired her, by a perſon "whom he could truſt, to return the ring into the "queen's own hands. But her huſband, who was "one of the earl's greateſt enemies, and to whom "ſhe told this imprudently, would not ſuffer her "to acquit herſelf of the commiſſion; ſo that the "queen conſented to the earl's death, being full "of indignation againſt ſuch a proud and haughty "ſpirit, who choſe rather to die than to implore "her mercy.

"Some

"Some time after, the admiral's lady fell ſick, "and, being given over by her phyſicians, ſhe "ſent word to the queen, that ſhe had ſomething "of great conſequence to tell her before ſhe died. "The queen came to her bed-ſide, and having "ordered all the attendants to withdraw, the ad- "miral's lady returned her, but too late, that ring "from the earl of Eſſex, deſiring to be excuſed "that ſhe did not return it ſooner, having been "prevented doing it by her huſband.

"The queen retired immediately, being over- "whelmed with the utmoſt grief; ſhe ſighed con- "tinually for a fortnight following, without tak- "ing any nouriſhment, lying a-bed entirely dreſſed, "and getting up an hundred times a night. At "laſt ſhe died with hunger and with grief, becauſe "ſhe had conſented to the death of a lover who "had applied to her for mercy.

"This melancholy adventure ſhews, that there "are frequent tranſitions from one paſſion to ano- "ther; and, that as love often changes to hate, "ſo hate, giving place ſometimes to pity, brings "the mind back again into its firſt ſtate."

Sir Dudley Carleton, who is made the author of this ſtory, was a man who deſerved the character that is given of him, and could not but be well informed of what paſſed at court: but, whoever conſiders the age of queen Elizabeth, at the time when the earl of Eſſex firſt entered into her preſence, will find it difficult to believe the queen ever conſidered him in the light of a lover.

This counteſs of Nottingham was the daughter of the lord viſcount Hunſdon, related to the queen, and alſo by his mother to the earl of Eſſex.

Before we part with this ſubject, it may not be amiſs to obſerve, that ſomething of truth there certainly

certainly is as to the queen's death being haſtened by an accident relating to a ring, and by her reflecting on the death of the earl of Eſſex.

In the ceremony of her coronation, ſhe was wedded to the kingdom with a ring, which ſhe always wore, till, the fleſh growing over it, it was filed off a little before her deceaſe. About the ſame time obſerving, that the loſs of Eſſex, and the confuſion of his friends, had put her entirely into the hands of thoſe who began to neglect her, and court her ſucceſſor, ſhe could not help ſaying in an exceſs of paſſion, "They have now got me "in a yoke, I have nobody left me that I can "truſt; my condition is the perfect reverſe of "what it was." It is alſo true, that a melancholy ſenſe of this brought her to her end about twenty-five months after the death of Eſſex.

"The manner of the earl's ſuffering death is ſo "largely related in Camden, and others, that we "ſhall not meddle with it here, farther than to ob-"ſerve, that, as many actions of his life ſpoke him "a hero, ſo this laſt action ſhewed him a true Chriſ-"tian, by manifeſting he was far leſs careful of his "body than his ſoul, and much more afraid of his "ſin than his puniſhment."

His character is very fully drawn by ſir Henry Wotton, very fairly by ſir Robert Naunton, very freely by Camden, and very finely touched by the maſterly pen of the lord Clarendon; neither are there wanting ſome uſeful touches in Oſborne, Fuller, Lloyd, Winſtanley, and other writers of leſs fame. It appears, from the compariſon of theſe, that, in reſpect to the public, he was truly a patriot, had a great regard to his ſovereign's honour, and no leſs zeal for his country's ſervice; he valued himſelf on loſing a father and a brother,

and

and in ſpending a great part of his ſubſtance in the cauſe of both; his projects were high, but very honourable; and the difficulties with which they were embarraſſed, ſeemed rather to invite than to deject him. He was, however, too covetous of royal favour, and, ſome ſay, not reſpectful enough to the royal perſon; and, if there was any truth in this, his fault was inexcuſable; the queen preventing his merit by her favours, as well as rewarding it by honours: nor did he feel the ſunſhine only, but the dew of the court; ſince, if the lord-treaſurer Buckhurſt computed right, and he was no enemy to my lord of Eſſex, he received, in grants, penſions, and places, to the amount of three hundred thouſand pounds: but then, as he received all this from, he ſpent it for, the public; and, if he ſometimes appeared covetous, it was, that he might be always generous; for, to his honour be it ſpoke, learning never approached him ungraced, merit unrewarded, or want without receiving great relief. His ſovereign's favour he loſt often; the fidelity of his friends, and the affection of the people, never: yet he ſometimes truſted thoſe who had been formerly his enemies, and was not fortunate in all his enterprizes; which renders the wonder greater.

As to his perſon, he is reported to have been tall, but not very well made; his countenance reſerved; his air rather martial than courtly; very careleſs in dreſs, and very little addicted to trifling diverſions. Learned he was, and a lover of learned men; wrote with that facility which is the true mark of genius; with that cloſeneſs and perſpicuity, which is the happieſt fruit of learning; and that noble ſimplicity, which is the characteriſtic of a great mind. Sincere in his friendſhip, but not ſo

careful as he ought to have been in making a right choice; ſound in his morals, except in the point of gallantry, and thoroughly well affected to the proteſtant religion, of which he had very juſt notions, deſpiſing alike the meanneſs of ſuperſtition and the folly of infidelity.

He ſuffered at the uſual place of execution, in the thirty-fourth year of his age, leaving by his wife only one ſon, Robert, and two daughters; Frances, who became the wife of William, firſt earl, then marquis of Hertford, and laſtly duke of Somerſet; and Dorothy, who firſt married ſir Henry Shirley, of Stanton Harold, in the county of Leiceſter, bart. and afterwards to William Stafford, of Blatherwyck, in the county of Northampton, eſq. He left alſo, by Mrs. Southwell, a natural ſon named Walter.

END OF THE SECOND VOLUME.

B L

LIVES

Contained in the

SECOND VOLUME.

THOMAS WYAT, - - - - - - Page 1

Nicholas Ridley, biſhop of Rocheſter, - 10

Biſhop Hugh Latimer, - - - - - 26

Biſhop John Hooper, - - - - - - - 28

Biſhop Thomas Cranmer, - - - - 46

Mary Queen of Scots, - - - - - - 93

Thomas Howard, - - - - - - - - 440

Douglas, earl of Morton, - - - - - - 446

Robert Devereux, earl of Eſſex, - - 452